

2026 Election Procedures

A Guide for Election Officials

Published by the Vermont Secretary of State's Elections Division

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Secretary of State

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Introduction

Free, fair, and accessible elections.

The Vermont Secretary of State's Elections Division works to protect the integrity of Vermont's democracy. We have three primary responsibilities: 1) We support free, fair, and accessible elections; 2) We facilitate campaign finance reporting, and 3) We promote transparency into how lobbying is conducted.

Elections in Vermont are administered at the local level. The Elections Division works closely with the 247 town and city clerks across the state to ensure smooth administration.

Read more [About the Elections Division](#) or visit our [Contact Page](#) to reach us.

Accessibility

To receive this information in an alternative format or for other accessibility requests, please contact: sos.accessibility@vermont.gov.

Acknowledgements

Select icons courtesy of ElectionTools.org.

Change Log

The *Election Procedures Guide* may be updated periodically to include changes in state or federal law, the procedures for carrying out those laws, or official guidance from this office. Revisions made in 2026 and 2027 are documented below. A new major edition of the *Guide* will be published for 2028.

Version 1.0 published on February 23, 2026.

Message from the Secretary

Vermont's democracy is built on free, fair, and accessible elections. Our state Constitution mandates "all elections ought to be free and without corruption." It also bestows upon every one of us "a right to elect officers, and be elected to office."

In Vermont, elections are administered at the local level. Clerks, BCA, candidates, and voters all have deadlines to meet and roles to play. All Vermonters work together to build trust and maintain confidence in our elections.

At the Secretary of State's office, we support all involved in running Vermont's elections in a proper and legal manner. We designed the *2026 Election Procedures—A Guide for Election Officials* as a step-by-step reference for election officials. This guide is one of our core town clerk resources, along with a detailed 2026 Elections Calendar and timely Elections Bulletins.

This March, Vermont will hold Town Meeting. In August, the Democratic, Progressive, and Republican parties will hold primaries. In November, we will elect our U.S. Representative, all six statewide offices, all 30 members of the State Senate, all 150 members of the Vermont House of Representatives, all five county offices, and justices of the peace.

I am proud of my Elections Division staff here at the Secretary of State's office. Whether you are a clerk, BCA member, candidate, or voter in Vermont, we are here to hear your feedback, answer your questions, and help you engage in our democracy.

In recent years, together, we have made Vermont's elections the most accessible on record, while also ensuring they stay free and fair. This year, we aim to do even better. But it takes all of us. We look forward to working with you.

We look forward to serving you.



Sarah Copeland Hanzas

Secretary of State



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How to use this guide

The *Election Procedures Guide* follows the election cycle chronologically. It is an overview of duties and procedures necessary to successfully administer elections. We've also included a library of appendices for you to refer to and use. Please note that some appendices only appear in the print edition, as they are specifically for clerks' use. All appendices are available in the VEMS Document Library.

Who should use this guide?

This guide is primarily intended for town/city clerks, presiding officers, representative district clerks, senatorial district clerks, county clerks, boards of civil authority, and election officials. Citizens interested in becoming election administrators may also find it of interest. Candidates, please visit our [Candidates webpage](#) for details and forms, and review the [Candidate Filing Procedures](#) section of this guide.

Please note that this guide aims to help election officials administer elections in Vermont. It is not a substitute for [Title 17 – Elections](#). It is not possible in this guide to anticipate all factual situations that could arise under state and federal election laws. You may contact the Secretary of State's Office with any questions about election law. However, we recommend that you read the statutes carefully and consult an attorney when appropriate.

Find the right section

The top of every page includes the chapter name and its subsections. The first page of every section includes a table of contents and other aids.

Key Details

Elections Calendar

Check out our comprehensive [online Elections Calendar](#) for deadlines and election officials' duties. The calendar is also available for download as a PDF.

Important dates to remember

Election	UOCAVA Mailing Deadline	Early Voting Period	Election Day
Annual Town Meeting*	N/A	2/11 to 3/2	3/3
Primary Election	6/27	6/27 to 8/10	8/11
General Election	9/19	9/19 to 11/2	11/3

**If your municipality holds its annual meeting on a date other than the first Tuesday in March, please recalculate for your town's annual meeting date. For local elections in Vermont, early voting begins 20 days before election day, or as soon as ballots are available. Early voting begins 45 days before statewide/federal elections—review the [Early/Absentee Ballots](#) section.*

Offices Elected in 2026

- U.S. Representative to Congress
- Governor
- Lieutenant Governor
- Treasurer
- Secretary of State
- Auditor of Accounts
- Attorney General
- All (30) State Senate seats
- All (150) State Representative seats
- Probate Judge
- Assistant Judges
- State's Attorney
- Sheriff
- High Bailiff
- Justices of the Peace

Core Elections Documents

For All Election Administrators:

- Title 17 – Elections
- Election Procedures Guide
- [Elections Calendar](#)

For Clerks & Assistant Clerks:

- VEMS User & Instructional Guides
- Email bulletins
- Vote Tabulator Guide

Election Supplies

Need supplies? Download the [order form](#), fill it out, then email it to Dan Brown at dan.brown@vermont.gov.

I. Election Administrators' Roles

In Vermont, elections are run (administered) on the local level by town and city clerks, the Board of Civil Authority in each town or city, and poll workers.

This section describes the responsibilities of everyone involved in administering federal, state, and local elections.

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Who administers elections in Vermont?

Unless otherwise noted, all statutory references are to [Title 17 of the Vermont Statutes Annotated](#).

The primary and general elections in Vermont are run (administered) through collaboration between:

- The Secretary of State, who is the chief election official of Vermont;
- All 247 municipalities' Boards of Civil Authority (BCA), which are the local election boards;
- The town clerk, also a member of the BCA;
- Additional election officials appointed by the Board of Civil Authority; and
- The 14 county clerks.

Annual Town Meeting and other local elections are administered by the town clerk, the BCA, and other election officials appointed by the BCA. The Elections Division supports clerks through this process, as needed. The town moderator is involved in running annual meeting elections conducted by floor vote (in-person town meeting).

School district elections are administered by the school district clerk and town clerk (in some cases, this may be the town clerk or a town clerk within that school district), with some assistance and/or input from the school board in preparation. In multi-town school districts, town clerks assist the school district clerks by providing their town checklist and posting warnings for the election within their town. Local BCAs administer the voting in their town and transport ballots to be commingled when necessary.

Secretary of State & Elections Division

The Secretary of State is the chief election official of Vermont. The Secretary employs a director of elections, an assistant director of elections, 3 election administrators, and an administrative services coordinator. The Elections Division provides information and training on election law and procedures to local election officials, political parties, candidates, and citizens. The Division reviews petitions and consent forms, prepares and distributes ballots and the Official Return of Votes (used to report election results) for all voting districts, and reports election results. All candidates file campaign finance

reports with the Secretary's office. All lobbyists, lobbying firms, and lobbyist employers report compensation, expenditures, gifts, and contracts with the Secretary's office, too.

Boards of Civil Authority

The Board of Civil Authority (BCA) of each town or city typically includes the town clerk; the members of the selectboard, city council, or board of aldermen; between 5 and 15 Justices of the Peace (JPs), depending on the population of the municipality; and other officials, such as the mayor, as required by the municipality's local charter. The BCA oversees the conduct of elections within the municipality. BCA members should serve as election officials at polling places on Election Day whenever possible. [§ 2451](#).

Town Clerks

The Town Clerk is most closely involved in the preparation for and the administration of the primary and general elections. The town clerk maintains voter information on the statewide checklist, posts all meeting and election notices and warnings, processes absentee ballots, serves as presiding officer at the polling place, and prepares and submits the Official Return of Votes (with another election official). They also run local elections, such as the Annual Town Meeting.

Presiding Officers

The Presiding Officer is the chief election official at each polling place. **The town clerk is the presiding officer** unless the town has voted otherwise, the clerk is unavailable, or there is more than one polling place in the town. If the town clerk is unavailable or there are multiple polling places, the BCA appoints a registered voter to serve as the presiding officer. [§ 2452](#). Presiding officers are required by law to attend one election workshop presented by the Secretary of State every 2 years and must certify with the Secretary of State by December 31 of even-numbered years that they have attended a training. [§ 2457\(b\)](#).

Representative District Clerks

Representative District Clerks are town clerks who are assigned additional responsibilities related to the election of the 150 State Representatives. The town clerk of the town with the largest population within each representative district serves as the Representative District Clerk. These town clerks serve as representative district clerks until the General Assembly finishes assessing and reconfiguring the representative districts for the 2032 elections, following the 2030 census. This process is called reapportionment. [§ 2103\(29\)](#).

Representative District Clerks perform the following duties:

- Accept primary election petitions and Consent of Candidate forms from **major party** candidates for State Representative. (Independent and minor party candidates file petitions and consent forms with the Secretary of State's office in Montpelier).
- Enter candidates' information into the Vermont Election Management System (VEMS) for all major party candidates who properly file petitions with the required **50 signatures** along with a consent form. All petitions **must** be filed with a consent form.
- Chair a canvassing committee following the primary and general elections to tabulate election results for the representative district.
- Send completed Certificates of Election to winning candidate(s).
- Upload the signed canvass report (election results) for the representative district to VEMS.

Senatorial District Clerks

Senatorial District Clerks are 14 of the county clerks who are designated by state statute to perform additional duties related to the election of 30 State Senators.

Senatorial District Clerks perform the following duties:

- Accept primary election petitions and Consent of Candidate forms from **major party** senatorial candidates. (Independent and minor party candidates must file petitions and consent forms with the Secretary of State's office in Montpelier).
- Enter candidates' information into VEMS for all major party candidates who properly file petitions with the required **100 signatures** along with a Consent of Candidate form. All petitions **must** be filed with a consent form.
- Chair a canvassing committee following the primary and general elections to tabulate election results for the senatorial district. (The Elections Division emails the canvass procedures to all senatorial district clerks before the canvass).
- Send completed Certificates of Election to the winning candidate(s).
- Upload the signed canvass report (election results) for the state senatorial district to VEMS.

County Clerks

County Clerks process the petitions and Consent of Candidate forms for county offices.

County Clerks perform the following duties:

- Accept petitions and consent forms from **major party** candidates for county office.
- Enter candidates' information into VEMS for all major party candidates who properly file petitions with the required **100 signatures** along with a Consent of Candidate form. All petitions **must** be filed with a consent form.
- Chair a canvassing committee following the primary and general elections to tabulate election results for the senatorial district.

- Send completed Certificates of Election to winning candidates(s).
- Upload the signed canvass report (election results) for the county offices to VEMS.

Superior Court Clerks

Superior Court Clerks perform the following duties:

- Accept petitions for recounts after the primary or general elections from candidates for State Representative, State Senate, and county offices per the requirements established in [§ 2601](#).
- Accept petitions to contest elections.
- The Superior Court Judge supervises the county clerk(s) in managing all recounts within the county. [§§ 2601, 2602](#).

Election Officials

Election Officials are registered voters of the town who are appointed by the BCA as needed and can include assistant town clerks. Sometimes, they're appointed to ensure political party balance. **All appointed election officials must be sworn in before performing their duties.**

An assistant town clerk may serve as an election official, even if they are not a resident of the town. [§ 2454](#).

Assistant Election Officials

16- and 17-year-olds can be appointed as assistant election officials working under the direct supervision of adult election officials. They are not sworn in because they are under 18 years-old and cannot take oaths.

The oaths required for election officials are set out in the Vermont Constitution. They are as follows:

I (give name) do solemnly swear (or affirm) that I will be true and faithful to the State of Vermont, and that I will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. (If an oath) So help me God. (If an affirmation) Under the pains and penalties of perjury.

I (give name) do solemnly swear (or affirm) that I will faithfully execute the office of assistant election official for the town of (give town) and will therein do equal right and justice to all persons, to the best of my judgement and ability, according to law. (If an oath) So help me God. (If an affirmation) Under the pains and penalties of perjury.

Assignment & Compensation of Election Officials

The **presiding officer** assigns the hours and duties of election officials. The presiding officer must sometimes make difficult decisions to assign the person with the best skill set for a particular duty, even if someone else has historically performed that function.

Please accept and support your presiding officer's decisions with grace—the accuracy and integrity of the election is paramount. [§ 2455](#).

The voters of the town determine the compensation of election officials, if any, at town meeting as part of the normal budget process. Otherwise, it's decided by the selectboard. Some towns pay wages, while other towns ask for and receive volunteer service. The town's BCA determines the compensation, if any, of those who deliver absentee ballots. [§ 2538\(a\)\(5\)](#).

Disqualification of Election Officials

In certain cases, members of the BCA or election officials may not serve at a particular election because they are disqualified from doing so by statute.

When can someone not serve as an election official?

- If they are a candidate for an office in a contested race and their name is printed on the ballot.
 - **Exception(s):** Candidates for Justice of the Peace, town clerk, treasurer, moderator, or ward clerk. For example:
 - If an existing town clerk runs for state representative, they **cannot** serve as a presiding officer or election official.
 - If an existing town clerk **only** runs for clerk, treasurer, JP, moderator, or ward clerk, they **can** serve as a presiding officer or election official.

- **Other disqualifications:** When a candidate is disqualified from serving as an election official, then that candidate's spouse, parent or child cannot deliver absentee ballots to voters who are ill or who have a disability. [§ 2538\(a\)\(4\)](#).

Tip

Whenever possible, the best practice is to avoid even the suggestion of a lack of impartiality. We recommend not having the candidate count ballots for the office they are seeking, even if statute allows it. [§ 2456](#). The standards of voters are often higher than the standards of the law, and while you are obliged only to follow the law, a little prudence goes a long way.

II. The Clerk & BCA’s Election Responsibilities

This section describes the various election-related duties that the **town clerk** and local **BCA** perform throughout each year. These duties are not necessarily related to a particular election. While the town clerk will do most of the “leg work” when it comes to voter applications and elections, the BCA must be involved in some processes and decisions.

Tip

Regularly check your email for bulletins from the Elections Division. During elections season, there may be multiple emails each week.

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Voter Registration & Checklist Duties

You are responsible for maintaining your town or city's portion of the statewide voter checklist. This includes adding voters to the checklist, editing voter records as requested, confirming that voters are still eligible to vote in your town, and removing deceased and otherwise ineligible voters from the checklist. There are specific guidelines in State statute for how you to perform each of these tasks.

Refer to the *Voter Registration User Guide* in VEMS for detailed instructions.

Help Improve Voters' Use of the Vermont Voter Portal

The [Vermont Voter Portal](#) (previously the My Voter Page and the Online Voter Registration sites) is voters' primary online resource for all election information unique to them. It includes registration status, absentee ballot requests and statuses, participation history, polling places, sample ballots, candidate listings for upcoming elections, and more. They can log in anytime using their name, town, date of birth, and either their driver's license number or the last 4 digits of their Social Security Number (SSN).

Want to ensure your voters can access the Voter Portal? Be sure to enter all data in the appropriate fields. If a voter contacts you stating that they cannot access the Voter Portal, confirm with them that their information appears in their voter record as they expect. If not, make the requested corrections. Common issues are a middle initial entered in the first name field, a suffix entered in the last name field, or a transposed number in an SSN.

Processing a Voter Registration Application

Vermont law gives you, the town clerk, the authority to add names to your town's portion of the statewide voter checklist. When you receive a voter registration application ("Application for Addition to the Checklist") that meets the requirements, you **must add the person's name to the checklist within 3 days** of receiving the application. [§ 2144\(b\)](#).

Voter registration applications are submitted in several ways:

- In person at the town clerk's office;
- By mail;
- Online via the [Vermont Voter Portal](#);
- In person on election day—[§ 2144\(a\) and \(b\)](#); or
- Via Automatic Voter Registration at the Vermont Department of Motor Vehicles.

See Appendix T – Voter ID/Documentation FAQ (available in the print edition and the VEMS Document Library) for a complete overview of voter identification and documentation.

Changes to a Voter Record

No new voter registration application is required when a voter moves to a new location in the same town or changes their name. If the voter notifies you or if a change of address or name comes from the Department of Motor Vehicles, you can simply make the changes to the voter's record.

Qualifications to Become a Registered Voter in Vermont

A person may be added to the voter checklist if that person:

- 1) Is a citizen of the United States;
- 2) Is a resident of the town or city in Vermont where the application is submitted;
- 3) Is 18 years of age or older by the next general election date;
- 4) Has taken the Voter's Oath.

Exception: Any person meeting the requirements above who will be 18 years of age on or before the date of the next general election may register and vote in the primary election immediately preceding that general election. [§ 2121\(b\)](#).

Note

A resident-alien “green” card does not allow a person to register to vote. A person must become a U.S. citizen, not a resident-alien, to register to vote in federal elections. Some towns do allow non-citizens to vote in local elections.

Definition of Residency for Voting Purposes

The voter's intent is key when considering their voting residence.

Vermont Statute states in [§ 2122\(b\)](#):

A person may have his or her name on the checklist only in the town of which the person is a resident. For the purpose of this chapter, "resident" shall mean a person who is domiciled in the town as evidenced by an intent to maintain a principal dwelling place in the town indefinitely and to return there if temporarily absent, coupled with an act or acts consistent with that intent. If a person removes to another town with the intention of remaining there indefinitely, that person shall be considered to have lost residence in the town in which the person originally resided even though the person intends to return at some future time. However, a person shall retain the ability to vote in a town of former residence for a period of 17 days after becoming a resident of a new town. A person may have only one residence at a given time.

Under Vermont law, voting residence is connected to domicile. This is determined by physical presence at some point and an intent to make that place home as demonstrated by acts consistent with that intent. If a person is only claiming one town as a principal dwelling place and is not on any other checklist, they would qualify to register and vote.

There can be complicated factual questions involving residency. Vermont statutes appear to place the most emphasis on the intent of the voter if they are temporarily absent, and Vermont court cases uphold this statutory standard.

The law on residency and voter registration checklists also instructs the town clerk and BCA to treat each person who wants to vote equally. **The law prohibits the BCA from requiring applicants to complete any form other than the voter registration form. It also prohibits them from requiring that all applicants or any particular class of applicants appear before the BCA or submit additional information.** [§ 2145\(c\)](#).

College students voting in Vermont

The Supreme Court has ruled that college students may register to vote where they go to school (see [Symm v. U.S. \(1979\)](#)), so college students who consider Vermont their primary residence may vote here in the same manner as any other registered voter.

They may vote in person early, on Election Day, or absentee by mail.

The student doesn't need to be certain about where they'll live after graduation, so long as they have no present intention of permanently returning to their former residence. A dorm or college address can be an acceptable residential address and does not disqualify a student from voting.

Conversely, out-of-state students who go to college in Vermont can vote absentee in their home state if they are unsure about remaining in Vermont or intend to return to their home state once they finish school.

Just like anyone else, a student may not claim registration in two states or vote more than once in the same election.

Owners of multiple houses in Vermont

What about an owner of houses in two Vermont towns, living in one and renting out the other house, but intending to return to the rented house when he or she retires? As long as the person is only claiming one town as a principal dwelling place and is not on any other checklist, he or she may qualify to register and vote.

Questioning Applications

If you're unsure whether a person meets the requirements to vote in your town, you should request a meeting of the BCA to review the application. Remember, BCA meetings require 5 days' written notice to each member of the board and posting a notice in at least 2 public places at least 5 days before the meeting.

Denying an Application due to Question of Residency

On a case-by-case basis, the BCA can conduct an inquiry into a person's eligibility if the town clerk or the BCA has reason to question residency or other information on an application. On demand of a majority present (see [Quorum for Actions Taken by the BCA](#)), the BCA may require that an applicant be examined, under oath, concerning the facts stated in the application. The board may also make such investigation as it deems proper to verify any statement made under oath by an applicant. [§ 2146\(a\)](#). The BCA may also investigate as it decides is necessary to verify any statement made under oath by the applicant.

Rejecting Applications

Sometimes, you cannot accept and process an application because the person either does not meet the qualifications to vote in your town or has not provided all required information. When you reject an application, you **must** send a notice to the person's last known address that explains why you're rejecting the application. (See the Incomplete Letter found in the VEMS Document Library). Statute lists what should be included in the rejection notice. [§ 2146\(b\)](#). The rejection notice must inform the applicant that any person whose application to vote has been rejected or whose name has been removed from the checklist may appeal to the Superior Court. [§ 2148](#).

When you reject an application received in VEMS via the Vermont Voter Portal or the Vermont Department of Motor Vehicles, you will be required to provide a reason for the rejection and add comments. You can then generate a rejection letter to send.

Military & Overseas Voters (UOCAVA)

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) is federal law and requires that U.S. citizens have the right to maintain their status as voters in the last place within the United States where they had established residency. The Act ensures that these citizens can vote by absentee ballot for federal offices. They may also request to have their ballot delivered electronically. See [52 USC § 20302](#) and [§ 2122\(a\)](#).

UOCAVA voters are U.S. citizens who are:

- Active members of the Uniformed Services (Army, Navy, Marine Corps, Air Force, Coast Guard),
- Active members of the commissioned corps of the Public Health Service and National Oceanic and Atmospheric Administration,
- Active members of the Merchant Marine,
- Eligible family members of the above,
- U.S. citizens residing outside the United States.

By law, you are required to send absentee ballots to UOCAVA voters at least 45 days before all federal and statewide elections.

Note

Voters only *visiting* overseas are not included under UOCAVA. Be sure to read the section on [Early/Absentee Ballots](#) for clarification.

If your UOCAVA voters have any questions, the [Federal Voting Assistance Program \(FVAP\)](#) is a helpful resource.

Challenging a Voter

Statute sets strict and specific limitations on how, when, and why a voter may be challenged or purged from the checklist. The BCA, including the town clerk, must follow the detailed guidance provided in [§ 2150](#) and in periodic Elections Bulletins about the challenge and purge procedures. If you have reason to believe that voters are no longer

eligible to vote in your town, discuss that with your BCA. Decisions about voter residency are the purview of your BCA and should be decided by them.

Find the instructions for the biennial review of the voter checklist for the purpose of challenging and purging voters in the VEMS Document Library.

Records of Voter Registration; Checklist Maintenance

You must keep completed Applications for Addition to the Checklist, or electronic copies of them, until the end of the General Election cycle after the one in which they were submitted. Electronic voter registration applications submitted through the Vermont Department of Motor Vehicles or the Voter Portal are considered retained in VEMS.

- For example, keep an application submitted during the 2024 election cycle until the end of the 2026 General Election cycle.

The town clerk **must** keep records of the BCA's actions to maintain the checklist.

Minutes must be kept of each BCA meeting. The records must include the reason for removal of each voter. This may include keeping a copy of the written request, a copy of the new registration form, or making notations in the comments section of the Statewide Checklist. The minutes need to include: the names of all board members present, all members of the public who participated in the meeting; all motions made, action taken, and the results of all votes. [1 V.S.A. § 312](#).

Electronic Voter Records

When a voter submits a voter registration application, absentee ballot request, affidavit, etc., through the Vermont Voter Portal, the Vermont Election Management System (VEMS) becomes the place of filing. As long as the record remains in VEMS for the minimum retention period, there is no need to also print and retain a physical copy of the request/record outside of the system.

Effective May 26, 2025, the system now also allows for uploading other documentation to the voter record. Clerks can now upload additional documentation received from the voter outside of the system, such as an FPCA application, or other communication from the voter.

Before choosing to use the new upload feature, it is best practice to first make a determination regarding which method you are going to keep those types of records, and maintain consistency. It is not recommended to keep both digital and physical copies. It should be either all digital or all physical. Another important consideration is that VEMS is not designed with any automated retention or long-term preservation functionality, so documents uploaded to VEMS will be kept in VEMS until you remove them. You must manually remove documents you upload to VEMS at the end of the retention period. As long as you still have the records, you are obligated to provide them when requested. If this is not manageable, then the best practice may be to keep only the physical copy.

Voter Registration for Residents of Gores and/or Unorganized Towns

Residents of gores and unorganized towns can register to vote only for state and federal elections. They must register in the town located in the county, senatorial district, and representative district of where they live. They cannot vote in town, town school board, or union high school elections. These voters should be marked as “Unorganized Towns & Gores” in VEMS. Residents marked as “Unorganized Towns & Gores” and correctly entered in VEMS will not appear on your local election voter checklist. [§ 2123](#).

Duties of the BCA

General

- Establish policy;
- Make decisions regarding voter registration, and challenging and purging voters;
- Serve as the main election officials at the polling place(s).

Before elections, the BCA—or legislative body—must decide certain details for polling places, special cases of ballot delivery, and ballot processing. Be sure to review the statutes linked with each task.

Polling Places

- Vote whether to use an exit checklist. Using an exit checklist is the default by law.** However, a BCA *may* vote not to use one. Towns often find it useful to reference when entering participation for an election. [§ 2507](#).
- Designate polling place location(s) based on the district(s) in the town.** Be sure to read through [§§ 2501 - 2510](#) to note all requirements for polling places. Voters may also petition to decide on other polling places at a duly warned annual or special meeting. [§ 2501](#).
 - **Ensure accessibility of polling places – ALL polling places must be accessible to voters with disabilities.** The BCA must take measures to ensure that elderly voters and voters with a disability may conveniently and secretly cast their votes. Download a polling place accessibility guide from the U.S. Department of Justice at www.Ada.Gov/VotingCk.htm. [§ 2502](#).
 - **There must be designated handicapped parking** outside a polling place, and no person should be permitted in a handicapped space for longer than the time needed to vote.
- Designate an area for an outdoor or drive-up polling place.** [§ 2502\(b\), \(c\)](#).
- Report polling places to the Secretary of State's office.** At least 30 days before every election, the town clerk must report their town's polling places to the Secretary's office. Providing the locations of your polling places via the Town Meeting Survey fulfills the requirement to report these locations to our office.

- **Emergency Changes** – Locations may only be changed within 30 days of an election in cases of emergency and those changes must be reported to the Secretary of State within 24 hours. [§ 2502\(c\)\(1\)](#).

- Designate the time polls open.** Polls may open between 5 a.m. and 10 a.m. All polls close at 7 p.m. throughout the State of Vermont. [§§ 2494, 2561](#).

Accessible Voting & Delivering Ballots

- Set provisions for curbside voting.** Voters who are ill or who have a disability can ask 2 election officials to deliver a ballot to the parking area to vote (curbside voting). [§ 2502\(b\)](#).
- Designate pairs of Justices of the Peace to deliver absentee ballots to ill and physically disabled voters.** Pairs are designated no later than 3 days before the election. No pair shall consist of 2 JPs from the same political party. If there are not enough JPs, additional voters may be appointed from a list provided by the chairs of the town committees of the organized political parties in town to balance the pairs. [§ 2538](#).

Ballot Processing & Election Workers

- Procure enough voting booths.** [§ 2504](#). Your town must have enough voting booths so that voters do not have to wait more than 10 minutes for a booth.
- Appoint enough assistant election officials.** [§ 2454](#). Assistant election officials should work in politically balanced pairs, when possible.

Note

When statute requires “two or more election officials of different political parties to perform an act, that political party representation requirement *shall not be required if attempts to conform to it were not successful* [emphasis added].” [§ 2455](#).

- Decide whether to use vote tabulators.** At a meeting held not less than 60 days prior to an election, the BCA may vote to require the town to use vote tabulators for the registering and counting of votes in subsequent local, primary, or general elections, or any combination of those.

- If the BCA is interested in adopting the use of tabulators in your town or city, please [contact the Elections Division](#). [§ 2491\(a\)](#).
- Decide whether to process absentee ballots early by tabulator, and in what manner.** Decide whether to allow the early processing of absentee ballots into the tabulator in the 30 days before the election ([§ 2546a\(a\)](#)) and whether to allow use of the tabulator for early voting in the clerk's office ([§ 2546b](#)).
- Decide whether to install and use a secure ballot drop box for the return of voted ballots.** [§ 2543a](#).

Quorum for Actions Taken by the BCA

- Quorum for matters related to elections, including voter registration = 3 or more BCA members present. [§§ 2103\(5\), 2144b\(c\)](#).
- Quorum on Election Day = the majority of *any* BCA members present, even if only one person. For example, the town clerk or any other BCA member can add a name to the voter checklist or take other official action. [§§ 2147, 2451](#).

One BCA member can make decisions on Election Day about additions to the checklist to correct inadvertent mistakes or regarding challenges to voters. However, **there must always be at least 2 sworn election officials at the polling place on Election Day**. We strongly recommend that all towns plan to have at least 3 election officials present at all times. To ensure election integrity, no election official should be alone at the polling place from the opening of the polls until the count is completed, ballot bags sealed, and materials are locked in the town clerk's vault.

Additional Appointments to the BCA for Election Duties

If the BCA does not include at least 3 members of each major political party, the party committee or at least 3 voters may file a request with the clerk to increase representation. Upon receiving such a request, the legislative body (selectboard/city council) must then appoint from a list provided by the underrepresented party to bring that party's representation to 3. Any BCA members appointed under this provision serve **only as election officials**. These appointees do not become JPs, cannot perform marriages, and cannot participate in tax appeals or tax abatements. [§ 2143](#).

III. Candidate Filing Procedures

This section describes what is required for major party, minor party, and independent candidates to successfully file primary and general election petitions with the appropriate filing official. We've also included what you, the filing official, should ensure the candidate provides.

Representative district clerks, senatorial district clerks, and county clerks can only accept petitions from major party candidates.

Candidates, please review our [Candidates webpage](#) for more information and forms.

Major Political Parties Organized in Vermont

- Democratic
- Progressive
- Republican

Minor Political Parties Organized in Vermont

- Libertarian
- Green Mountain Peace and Justice

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Major Party Petition & Consent Filing Procedures for the Primary Election

Important Details & Statutes

The primary election is how major parties (Democratic, Republican, and Progressive) nominate candidates to represent the party on the general election ballot.

If you are not the filing official designated by statute, do not accept a primary election petition. You must direct the candidate to the correct place to file.

- Representative District Clerks, Senatorial District Clerks, and County Clerks can **only** accept petitions from major party candidates.
- **Do not accept filings from independent or minor party candidates.** All independent and minor party candidates (except JPs) must file with the Secretary of State's office.
- Justices of the Peace file with their town clerk.
- **The Elections Division processes statewide candidate filings.** No candidate filings submitted to you should include an IRS Tax Form 10140. Only statewide candidates submit the form with their filings to the Secretary of State's office.
- Candidates may not file or have their names printed on the primary ballot of more than one party in the same election. [§ 2353](#).

Review [§§ 2355](#), [2356](#), and [2357](#) for all requirements related to primary election candidate petitions and Consent of Candidate forms.

Deadlines & Retention

Major party candidate petition and consent forms must be filed with the appropriate certifying officer no earlier than April 27, 2026 and no later than 5:00 pm on May 28, 2026.

All petitions for the primary must be kept until 30 days after the general election. Then, they may be destroyed. See [§ 2360](#).

How to Process a Major Party Candidate Filing

Accept filings between April 27, 2026 and May 28, 2026 at 5:00 p.m.

1. **Ask if the candidate has registered in the Campaign Finance System (CFS).**
 - If they have not registered in the CFS:
 - Remind them that they are required to do so before filing. [§ 2921](#).
 - If they wish to file, still accept their petition.

Note

While required by law, not registering in the CFS *does not* prevent ballot access. They will just be listed as noncompliant in public reports.

2. **Confirm that the candidate submitted both a petition and Consent of Candidate form.**
 - If they do not submit a consent form, do not accept the petition.
3. **Confirm that the candidate filled out all required fields on the Consent of Candidate form.**
4. **Confirm there are at least the minimum number of signatures.**
 - If there aren't enough signatures, do not accept the petition yet. The candidate cannot provide supplemental petitions (extra signatures) after filing. Confirm numbers, not legibility or voter qualifications yet.
5. **For County, State Senate, and State Representative candidates: Confirm that they provided their Ethics Commission financial disclosure form and that it contains all required information.**
 - No financial disclosure? Remind them that the law requires them to file the form at the same time as the Consent of Candidate form and petition. The penalty for not doing so is \$10 per day, up to \$1,000. [§2414](#).
 - If a candidate files their petition and consent form before the filing deadline but not their financial disclosure form, please still enter their information in VEMS. They may be fined by the Ethics Commission but will still appear on the ballot.

- Scan the financial disclosure form and upload it to VEMS while entering the candidate in VEMS (see the *Election Setup VEMS User Guide*).
 - Do not accept IRS Form 1040. Candidates for General Assembly and county office should not include their IRS Form 1040.
- 6. If the above steps are satisfied, tell the filer your office will review the petitions over the next 2 business days.**
- 7. Examine the signatures within 2 business days of receipt.**
- **If there are enough valid signatures**, you aren't required to give official notice to the candidate. If you have no reason to believe the petition is otherwise defective, the petition is valid.
 - **If the number of signatures falls below the required minimum** because enough of them aren't registered voters or could not be identified:
 - **Reject** the petition and return it to the candidate within 2 business days of receipt.
 - **Notify the candidate** that they have 10 days to collect supplemental petitions (extra signatures) and file them with you. Please encourage them to file supplemental petitions as soon as possible so that the Elections Division can prepare the primary election ballots on time.
 - **Notify the Elections Division** (sos.elections@vermont.gov) immediately that you have rejected a petition and returned it to the candidate for supplemental signatures. See [§ 2358](#).
- 8. Enter the candidate in VEMS.**
- **Please do this *immediately!* Don't wait until the filing deadline.**
 - **Follow the instructions in the *Election Setup VEMS User Guide for Add/Maintain Candidate*.**
 - If a candidate is not a registered voter, call the Elections Division at 802-828-0588 to have the candidate entered in VEMS.

Consent of Candidate Form



Only accept a petition with a Consent of Candidate form. Without the form, the person's name will not appear on the ballot. See [§ 2361](#).



Ask if the candidate registered in the Campaign Finance System.



County, State Senate, and State Representative candidates must submit Financial Disclosure Forms with their petitions and Consent of Candidate form. Failure to do so will result in a fine. See [§2414](#).

What's the required information on the consent form?

- **Wet-ink original signature**
 - The Secretary of State's office does not accept signature copies, facsimiles, or digital signatures.
- **Name as they want it to be printed on the ballot**
 - **A candidate may use a nickname or name variant that they have been known by in their community for at least 3 years.**
 - The form of a nickname must be the candidate's first name, the nickname of one or 2 words set off in quotations, and the candidate's last name. See [§ 2361](#).
 - E.g., Estella "Cruella" De Vil
 - **Candidates may use common variants of their name.**
 - E.g., Phil for Phillip, Bernie for Bernard
 - A maiden name, married name, or hyphenated name if the candidate is known by this variant.
- **Town of residence**
- **Town of mailing address for campaign business**

Major Party Candidate Petition Requirements & Deadlines in 2026

Office	Major Party
Congressional & Statewide Office <ul style="list-style-type: none"> - U.S. Senate - U.S. Representative - Governor - Lieutenant Governor - State Treasurer - Secretary of State - Auditor of Accounts - Attorney General 	Signatures: 500 File with: Secretary of State Filing Period: April 27 – May 28, 5pm
State Senate	Signatures: 100 File with: Senatorial district clerk Filing Period: April 27–May 28, 5pm
State Representative	Signatures: 50 File with: Representative district clerk Filing Period: April 27 – May 28, 5pm
County Office <ul style="list-style-type: none"> - Probate Judges - Assistant Judges - State’s Attorney - Sheriff - High Bailiff 	Signatures: 100 File with: County clerk Filing Period: April 27 – May 28, 5pm

How many signatures are required, and when and where are filings due?

Review the charts in this section detailing the filing requirements and deadlines for major party, minor party, and independent candidates.

Who can sign a candidate petition?

- Any legally qualified and eligible voter in a candidate’s district can sign a candidate petition form at any time in the election cycle.

How must signatures appear on the petition?

- All signatures must be wet-ink originals signed by the individual themselves.
 - Signature copies, facsimiles, or digital signatures will not be accepted.
- Each petition signer must print their name and town of residence next to their signature.

Do signatures need to be verified or certified?

- No. Signatures on **primary election petitions** do not need to be verified or certified.
- You *do* need to confirm that the required number of legible signatures are present and that a consent form has been filed.

How must petition and consent forms be filled out?

- All blank fields on the petition forms must be filled out so that voters know what they're signing.
- The actual office must be properly listed. For example, "Congress" isn't an office and would not be insufficient.

Can a petition include multiple offices or parties?

- No. A petition form may be for only one party and one office/seat. Candidates are free to present more than one petition to voters.

Primary Election Winners

The winner of each race in the primary election is the major party's nominee for that office and is automatically placed on the general election ballot. The name, town/city of residence, and party affiliation on the Certificate of Nomination will be printed on the general election ballot. **If a candidate discovers an error on the Certificate, the candidate must notify the Secretary of State's office within 5 days of receiving it.** [§ 2371](#).

Other Ways to Nominate a Major Party Candidate for the General Election

A major party can nominate a candidate by party committee if the party failed to nominate a candidate(s) in the Primary Election, or if a candidate withdraws, dies, or is otherwise removed.

Which Committee Nominates

State Party Committee

- President
- Vice President
- State Office
- Congressional Office

County Party Committee

- County Office

Senatorial District Committee

- State Senate

Representative District Committee

- State Representative

Town Committee

- Justice of the Peace. See [§ 2382](#).

Failure to Nominate by Primary

When a major political party fails to nominate a candidate by primary, the party committee must file a statement of nomination (petition) and a Consent of Candidate form.

- **Deadline:** Monday, August 17 by 5 p.m. (sixth day after the primary). [§ 2386\(a\)](#).

Notice & Voting at Party Committee Meeting

The chair of the committee, or if the chair fails to act, any 3 members of the committee, must send written notice stating the offices for which nominations are to be made to each committee member at least 5 days before the meeting. [§ 2383](#).

Nomination requires a majority vote of those present and voting. If no candidate receives a majority after 2 ballots, the candidate with the lowest number of votes in the second and in each succeeding ballot is eliminated until a candidate receives a majority. [§ 2384](#).

The chair and the secretary of the committee must file a signed statement of nomination with the Secretary of State's office. Each candidate nominated must also file a Consent of Candidate form. [§ 2385\(a\), \(d\)](#).

Nomination after Candidate Death, Removal or Withdrawal

In the case of death, removal, or withdrawal of a candidate after the primary election, the party shall hold a party committee meeting to nominate to fill the vacancy. The party shall file a statement of nomination and Consent of Candidate form no later than 60 days before the General Election.

- **Meeting Deadline:** 7 days from the death, removal, or withdrawal of the candidate.
- **Filing Deadline:** Friday, September 4, 2026 (60 days before the General Election)

Candidates Nominated by More than One Party

A person nominated for the same office by more than one political party may decide the party or parties for which they will be a candidate. This most commonly occurs when a candidate receives enough write-in votes to be nominated by another party. They can decide the order the party names will be listed on the ballot. They must file a written statement with the Secretary of State no later than 5 p.m. on the tenth day after the primary election.

Candidates should contact the clerk or the Elections Division as soon as possible with their decision, so that the ballots are prepared for the general election in time for delivery 46 days prior to the election.

The party designated as first to appear on the ballot by the candidate will be counted in statewide races toward major party status. If a candidate does not file the statement to designate which party is to appear first, the Secretary of State will list the parties in the order described in [§ 2474\(a\)\(2\)](#).

Statute now prohibits a candidate who lost a primary election from being nominated by another party or running as an independent for the same office in the general election. [§§ 2381, 2401](#).

Minor Party Candidate Nomination

In the same manner as a major party committee, a minor party committee may meet to nominate a candidate.

- File statements of nomination (petitions) and Consent of Candidate forms with the Secretary of State’s office.
- Deadline: April 27 – August 6, 2026, by 5pm

Statements of nomination by minor party committees and consent forms shall be filed with the Secretary of State not earlier than the fourth Monday in April and not later than 5:00 p.m. on the Thursday preceding the primary election. [§2386\(c\)\(1\)](#).

Minor Party Candidate Nomination Requirements & Deadlines in 2026

Office	Minor Party
Congressional & Statewide Office <ul style="list-style-type: none"> - U.S. Senate - U.S. Representative - Governor - Lieutenant Governor - State Treasurer - Secretary of State - Auditor of Accounts - Attorney General 	Signatures: N/A File with: Secretary of State Filing Period: April 27 – August 6, 5pm
State Senate	Signatures: N/A File with: Senatorial district clerk Filing Period: April 27–August 6, 5pm
State Representative	Signatures: N/A File with: Representative district clerk Filing Period: April 27 – August 6, 5pm
County Office <ul style="list-style-type: none"> - Probate Judges - Assistant Judges - State’s Attorney - Sheriff - High Bailiff 	Signatures: N/A File with: County clerk Filing Period: April 27 – August 6, 5pm

Independent Candidate Filing Procedures

Independent Candidates (except Justices of the Peace, discussed in the [Justice of the Peace Candidate Filing Procedures](#))

- Submit petitions and Consent of Candidate forms to the Secretary of State’s Office. No signature verification and certification by town clerks is necessary.
 - **Exception:** Presidential/Vice-Presidential nominations, which require certification of signatures by the clerk on the original petition prior to filing with the Secretary of State.
- A voter may sign more than one statement of nomination (“petition”) for an Independent candidate for the same office [§§ 2681, 2402, 2403](#).
- An **independent** candidate will have their name printed on the general election ballot with the word "Independent" next to the name. If no party is indicated, the word “Independent” shall be printed on the ballot [§§ 2402, 2403, and 2472\(b\)](#). A statement of nomination must contain the name of only one candidate, except in the case of Presidential and Vice-Presidential candidates. [§ 2403](#).
- Statute now prohibits a candidate who lost a primary election from running as an independent for the same office in the general election. [§ 2401](#)

Independent Candidate Petition Filing Requirements

Presidential Candidates

Require certification of signatures by the town clerk on the original petition prior to filing with the Secretary of State. The deadline to file is no earlier than the fourth Monday in April and not later than 5:00 p.m. on the August 1st preceding the Presidential general election.

Justice of the Peace Candidates

See [Independent Justice of the Peace Nominations](#).

All other independent candidates

File with the office of the Secretary of State in Montpelier not earlier than the fourth Monday in April and not later than 5:00 p.m. on the Thursday before the primary election. Additionally, for special primary elections the deadline is not later than 5 p.m. on the third day before the special election.

Independent Candidate Filing Requirements & Deadlines in 2026

Office	Independent
Congressional & Statewide Office <ul style="list-style-type: none"> - U.S. Senate - U.S. Representative - Governor - Lieutenant Governor - State Treasurer - Secretary of State - Auditor of Accounts - Attorney General 	Signatures: 500 File with: Secretary of State Filing Period: April 27 – August 6, 5pm
State Senate	Signatures: 100 File with: Senatorial district clerk Filing Period: April 27 – August 6, 5pm
State Representative	Signatures: 50 File with: Representative district clerk Filing Period: April 27 – August 6, 5pm
County Office <ul style="list-style-type: none"> - Probate Judges - Assistant Judges - State’s Attorney - Sheriff - High Bailiff 	Signatures: 100 File with: County clerk Filing Period: April 27– August 6, 5pm

Justice of the Peace Candidate Filing Procedures

Every Justice of the Peace elected at the General Election begins their term on February 1 of the following year. Justices of the Peace stay in office until their successors are elected and qualified. [3 V.S.A. §259](#).

- For example, Justices of the Peace elected in the 2026 General Election begin their terms on February 1, 2027.

Justice of the Peace Filing Requirements & Deadlines in 2026

Party	Justice of the Peace
Major Party	Signatures: N/A Nominated by: Party caucus or party committee Filed with: Town clerk Filing deadline: July 27, 5pm
Minor Party	Signatures: N/A Nominated by: Party caucus or party committee Filed with: Town clerk Filing deadline: July 27, 5pm
Independent	Signatures: 30 or 1% of the town checklist, whichever is less File with: Town clerk Filing Period: April 27 – July 20, 5pm

How to Change Your Town’s Number of Justices of the Peace

Has your town’s population changed? If it decreased below a threshold (below), you **must** reduce your Justice of the Peace seats accordingly. If it increased above a threshold, your town’s voters **may** decide to increase your number of Justices of the Peace seats. They would do so in a vote at an annual or special meeting ([Vermont Constitution, Chapter II § 52](#)). Not sure of your town’s population? Many use the last decennial census (2020).

- Population less than 1,000 = up to 5 JPs
- Population 1,000 up to 1,999 = 7 JPs
- Population 2,000 up to 2,999 = 10 JPs
- Population 3,000 up to 4,999 = 12 JPs
- Population 5,000 and above = 15 JPs

Major & Minor Party Justice of the Peace Nominations

All major and minor parties can nominate as many Justices of the Peace as there are positions to be elected. Review [Notice & Voting at Party Committee Meeting](#).

Historically, some towns have had a “gentlemen's agreement” that each major party will only nominate one-half of the number of Justices of the Peace to be elected by their town. There is nothing illegal about this practice, but there is no obligation for any party to follow this practice. As more voters decide to run as independent candidates, there are more towns where the old "gentlemen's agreement" is being discontinued. **All major and minor parties can nominate as many JPs as there are positions to be elected, and there is no limit to the number of independent petitions that can be filed for Justice of the Peace in a town.**

- **When to caucus:** On or before Monday, July 20, 2026 (third Monday in July before the primary election).
- **Who Nominates:** The town party committee holds a caucus to nominate candidates.
- **Notice of Meeting:** At least 5 days before the caucus, the committee notifies the committee members by posting notice at the town clerk’s office and 2 other public places in the town.
 - **Towns with more than 3,000 voters:** The committee shall post notice at least 1 day prior to the caucus:
 - in a newspaper of general circulation within the town; or
 - on a nonpartisan electronic news media website that specializes in news of the State or the community; and
 - on the municipality’s website, if the municipality actively updates its website on a regular basis.
 - Towns without a formally organized political party, see [§ 2413\(c\)](#).
- **In Case of Failure to Caucus:** What if the party does not hold a caucus by the deadline above? The chair or any 3 members of the town party committee may call a meeting to nominate Justices of the Peace. [§§ 2381 – 2385](#). The town

party committee must notify the members at least 3 days before the meeting. [§ 2413](#).

- **Required Documentation:** The town party chair and secretary sign a statement of nomination (petition) and send a copy of the notice to all committee members.
 - Download a [statement of nomination](#).
 - Consent of Candidate forms are not required for Justice of the Peace candidates. The party officials must confirm the consent of all candidates to have their names printed on the ballot.
- **Filing Deadlines:** File the statement of nomination and meeting notice with the town clerk by 5 p.m. on July 27, 2026 (fourth Monday in July before the Primary).

Independent Justice of the Peace Nominations

There is no limit to the number of independent petitions that can be filed for Justice of the Peace in a town.

Download the [Independent Justice of the Peace candidate packet](#).

- **Petition (statement of nomination):** Gather 30 signatures or the signatures of 1% of the registered voters in your town, whichever is less. [§ 2402](#).
- **Filing deadline:** By 5 p.m. between April 27, 2026 and July 20, 2026 (fourth Monday in April – third Monday in July).

Write-in Candidates

If an aspiring candidate misses their filing deadline, they may seek to run as a write-in candidate. If enough voters write their name, they could win the race.

Write-in Candidates for General Assembly, Statewide, or Federal Office

New in 2026!

If a write-in candidate gets enough votes to win, their individual vote totals will always be reported. Vote totals will also be reported for **all** individual write-in candidates in a race if a) there are no named candidates on the ballot for that office, or b) a named candidate dies or becomes disqualified.

Votes will also be reported for individual candidates in **every** party primary for an office if they filed a consent for the printing of their name on the ballot for that office for **any** major party. [§ 2587\(e\)](#).

Otherwise, for an individual write-in candidate's vote totals to be reported, statute now requires write-in candidates to submit a form affirming their desire for their votes to be counted. If the form is not submitted, and the other conditions for reporting the vote totals do not apply, their votes will only be reported in an aggregate total as "other write-ins". The form can be found on the Secretary of State's website (coming July 2026). It must be filed with **either** all town clerks within the candidate's applicable district **or** the Secretary of State's office by 5:00 p.m. on the Thursday before the election.

- **Filing deadline:** August 6, 2026 at 5:00 p.m. (Thursday before the Primary).

Primary Election Write-in Candidates

How to win a primary as a write-in candidate

- Per [§ 2370](#), the candidate must receive votes totaling at least 50% of the number of signatures required for petitions for nomination for that office (for example, at least 25 votes for State Representative).
 - **Exception:** If a race has at least one candidate printed on the ballot, and the write-in candidate receives more votes than the candidate(s) printed on the ballot, then the write-in candidate wins.
- The candidate must also be determined a winner per [§ 2369](#).
- To become a party's candidate in the general election, a candidate must also file with the Secretary of State's office a consent similar to the Consent of Candidate form. See [§ 2361](#), [§ 2385](#), and [§ 2402](#).

For a visual guide to counting write-in votes, be sure to review the flow chart in **Appendix S – Counting & Reporting Write-in Votes** (available in the print edition of this *Guide* and in the VEMS Document Library).

Candidate Withdrawals

- **Federal, Statewide, General Assembly, County, & Local Candidates**
 - To withdraw and remove their name from the general election ballot, a candidate must submit a written notice of withdrawal to the Secretary of State's office no later than 5:00 p.m. on the tenth day following the primary (Friday, August 21, 2026). After that time, the Secretary of State's office may still withdraw a name if a written notice of withdrawal is filed prior to the ballot printing deadline. [§ 2412](#).
- **Justices of the Peace**
 - Candidates for Justice of the Peace must submit their written notice of withdrawal to their town clerk before Friday, August 21, 2026.

IV. Pre-Statewide Election Responsibilities

This section describes the town clerk and BCA's responsibilities leading up to all statewide elections. The Elections Division emails bulletins to all clerks reminding them of the deadlines and tasks to be completed before each election. More resources can be found in the VEMS Document Library.

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Pre-Election Task Checklist

This checklist includes only the items covered in this section and does not include all possible tasks or responsibilities you, as clerk, may have before each election.

Task	Election	Date(s) Completed
Enter JPs and Articles in VEMS for General Election	General Election	
Assign tasks & shifts for election officials	All	
Train election officials	All	
Post Warning & Checklist	All	
Prepare & post sample ballots	All	
Issue absentee ballots (regular requests & UOCAVA)	All	
Develop/review policy for signs placed before election day	All	
Develop/review policy for pollwatchers	All	
Develop/review policy for conduct of persons outside polling place	All	
Test & prepare vote tabulator (at least 10 days before election)	All	
Test & prepare Accessible Voting System (use in all federal elections)	General, Primary, Presidential Primary elections	
Prepare & deliver materials to polling place(s) (checklists, tally sheets, summary sheets, ORVs)	All	

VEMS Data Entry – Justices of the Peace & Articles

All towns have the option to include Justice of the Peace candidates and local articles (public questions) on their general election ballots. To do so, you must meet the Elections Division deadlines for submission and proofing. Or, you can create your own ballots for Justice of the Peace and local article elections.

[Contact the Elections Division](#) with any questions!



Proofread your data carefully!

General Election Ballot Option

- Request data entry permissions from the Elections Division to enter candidates and/or articles in VEMS.
- Enter candidates for Justice of the Peace in VEMS.
 - Candidates' names will appear in alphabetical order by last name.
 - Requirements for Names, per [§ 2361](#):
 - Nicknames must be in quotes (James “Jimmy” Smith).
 - Add a period after a middle initial (Alex M. Smith).
 - Do not add a period after suffixes (Jr, Sr, I, II, III, IV).
 - Candidates may not include professional titles (Dr., Esq., CPA).
- Enter local articles (public questions) in VEMS exactly as your local legislative body approved them.

Separate Justice of the Peace Ballots Option

- Names should be entered in alphabetical order by last name.
- Design and print ballots.

Post Notice, Warning & Voter Checklist

- Post the Notice and Warning at least 30 days before each election.
 - You'll receive 5 copies for each polling place from the Elections Division at least 35 days before the election (statewide only).
 - Complete fields on each Warning for the location of the polling place(s) and the time the polls open.
 - You create and post your *local* election Notices and Warnings.
- Post the most recent voter checklist with the Warning.
 - Refer to the *Reports User Guide* in VEMS for detailed instructions to generate your public Checklist for Posting.
- Posting locations:
 - 2 public places in each voting district, **and**
 - In or near the town clerk's office See [§§ 2521, 2141](#).

Receiving Primary & General Ballot & Envelope Stock

Ballots

- Make sure the Elections Division has the correct delivery address for your town.
- You'll receive your ballots at least 46 days before each statewide election. All ballots are shipped by the printing vendor(s).
- Check your ballots for errors as soon as you receive the delivery.
- Call or email the Elections Division immediately if you find any errors.

General Election Ballot Mailing

The Secretary of State's office mails general election ballots to all active voters on the statewide voter checklist.

- Mailing occurs between 43 days before the election and October 1. [§ 2537a](#).
- Towns will receive ballots directly from the printer to use for early voting in the clerk's office and on Election Day. [§ 2478](#).

Sample Ballots

- Post sample ballots at least 20 days before the primary and general elections.
- Download and print sample ballots from VEMS for statewide elections.
- Post one sample ballot wherever the Warning has been posted. [§ 2522](#).

Envelopes

The Secretary of State's office will provide towns with envelopes for all statewide primary or general elections, in such numbers as requested. However, towns must pay for envelopes used for local elections. [§ 2536](#).

Sign Placement before Election Day

Consider the following when addressing how, when, and where campaign signs can be placed in a town other than at the polling place on Election Day:

- The owner of the property, in accordance with the state law relating to placement of signs along state highways ([Title 10 of the Vermont Statutes](#));
- Any lawfully adopted zoning bylaw regulations; and/or
- Lawfully adopted sign ordinance.

Who should answer candidates' questions about sign placement?

- The zoning administrator, if your town has zoning bylaws;
- The selectboard, if your town has a sign ordinance; or
- The Vermont Agency of Transportation for enforcement along state highways.

The Agency of Transportation has rules for the placements of signs along state highways. These specify that signs must be outside of the highway right of way. See our [guide on the placement of political signs](#).

Checklist Requests Within 30 Days of an Election

In the 30 days before any election, you must follow certain guidelines when fulfilling requests for copies of the voter checklist. The checklist shall state the name and address of each voter. [§ 2141](#). The checklist is a public record. Refer to the *Reports User Guide* in VEMS for instructions on running a public checklist.

- When the chair of a town political party requests a copy of the checklist, fulfill the request and provide the copy free of charge.
- When a member of the public requests a copy of the checklist, fulfill the request and provide the copy at actual cost.

Deliver Supplies to Polling Places

We recommend you also copy and use [Appendix B – Ballot Bag Packing Instructions](#) to help you remember which items to bring.

Notes

- If the BCA has voted *not* to use an exit checklist, you can only provide one checklist or as many copies as there are entrance checklist check-in stations. [§ 2507](#).
 - Consider posting an extra copy of the checklist near the entrance of the polling place so a voter can see if their name is on the checklist before they enter.
- Print as many copies of the tally sheets, summary sheets, and the Official Return of Votes sheets as necessary for each polling place.
 - Refer to the *Reports User Guide* in VEMS for instructions on printing these crucial materials.

Packing List for Delivering Supplies to Polling Places

Packed?	Delivered?	Items
<input type="checkbox"/>	<input type="checkbox"/>	2 copies of the voter checklist for the presiding officer at each polling place
<input type="checkbox"/>	<input type="checkbox"/>	Tally & Summary sheets
<input type="checkbox"/>	<input type="checkbox"/>	Official Return of Votes sheets
<input type="checkbox"/>	<input type="checkbox"/>	Ballots
<input type="checkbox"/>	<input type="checkbox"/>	Ballot bags
<input type="checkbox"/>	<input type="checkbox"/>	Seals
<input type="checkbox"/>	<input type="checkbox"/>	Returned absentee ballots in the certificate envelopes
<input type="checkbox"/>	<input type="checkbox"/>	Provisional ballot envelopes
<input type="checkbox"/>	<input type="checkbox"/>	Manila envelopes
<input type="checkbox"/>	<input type="checkbox"/>	Clips & paper to mark defective ballots (Appendix J)
<input type="checkbox"/>	<input type="checkbox"/>	Voting booths
<input type="checkbox"/>	<input type="checkbox"/>	Ballot boxes or vote tabulators
<input type="checkbox"/>	<input type="checkbox"/>	Accessible Voting System
<input type="checkbox"/>	<input type="checkbox"/>	Pens for marking ballots, checklists; rulers to mark checklists
<input type="checkbox"/>	<input type="checkbox"/>	Voter registration forms
<input type="checkbox"/>	<input type="checkbox"/>	Affidavit of Undelivered or Lost Ballot (Appendix C), 10 – 50 copies
<input type="checkbox"/>	<input type="checkbox"/>	Affidavit of Domicile for challenged voters (Appendix D), 20+ copies
<input type="checkbox"/>	<input type="checkbox"/>	Envelopes for Returned and Defective ballots (Appendix H)
<input type="checkbox"/>	<input type="checkbox"/>	Copies of “Do Not Overvote” signs (Appendix F)
<input type="checkbox"/>	<input type="checkbox"/>	Signs for ballot boxes
<input type="checkbox"/>	<input type="checkbox"/>	Polling place policies, +/- 10 copies
<input type="checkbox"/>	<input type="checkbox"/>	Early/absentee voter list, +/- 5 copies

Appendices C and D are available in both the digital and print editions of this guide.

Appendices F, H, and J are available in the VEMS Document Library.

Early/Absentee Ballots

New in 2026!

[Safe at Home](#) address confidentiality program participants may now receive ballots electronically. The Elections Division processes voter registrations, changes to voter records, and enters absentee ballot requests for Safe at Home voters. They appear on your checklist as “Voter #XXX Blind Ballot”. [§ 2539](#).

Overview

Be sure to read the *Absentee Ballot User Guide* in VEMS for detailed instructions on how to enter an early/absentee ballot request, issue the ballot, and process it when the voter returns it.

Anyone can request to be mailed an early/absentee ballot, whether to their usual address or another within or outside the U.S.

You must enter all absentee requests into VEMS as soon as you receive them. [§ 2534\(b\)](#).

You can download and print copies from the [early/absentee ballot request form](#) on our website. [§ 2534](#). The absentee ballot request form provides a place for the qualifying voters to select how they receive their early/absentee ballot.

General Election Ballot Mailing

- **As required by Vermont law, the Secretary of State’s office mails general election ballots to all active and eligible voters on the statewide voter checklist.**
- Mailing begins no later than 43 days before the election and is completed by October 1. [§ 2537a](#).
- Voters do not have to specifically request a general election ballot, unless they plan to receive the ballot at a mailing address other than that listed in their voter record or they wish to receive their ballot electronically or by JP home delivery.
- Read the *General Election Ballot Mailing Guide* in VEMS for more information and for answers to frequently asked questions about the ballot mailing.

Requests for Early/Absentee Ballots

How can someone request an absentee ballot?

- In person, at the town clerk's office,
- In writing using the [absentee ballot request form](#) (Appendix A),
- By phone to their town clerk, or
- Online via the [Vermont Voter Portal](#).

Who can request an absentee ballot?

- **A voter, or authorized family member or health care provider** acting on the voter's behalf, may request a ballot in writing, in person, or by phone.
 - Family member = A spouse, child, brother, sister, parent, spouse's parent, grandparent, or spouse's grandparent.
- **Any other authorized person** may request a ballot in person or in writing. However, that voter authorization to such a person shall not be given by response to a robotic call. That person must sign the absentee ballot request form ([Appendix A – Vermont Absentee Ballot Request](#), available online and in the VEMS Document Library) and must identify the organization they work for, if any. [§ 2532\(a\)\(2\)](#). When entering an early/absentee ballot request via the [Voter Portal](#), a third-party requester can indicate that and other relevant information.
 - Authorized person = Someone who the voter directed to request a ballot on the voter's behalf.

When can someone request an absentee ballot?

- Voters can submit requests to the town clerk by 5 p.m. or the closing of the clerk's office on the day before the election. [§ 2531\(a\)\(1\)](#).
 - If the clerk doesn't have regular office hours on the day before an election and the office isn't open on that day, the voter may request a ballot until the time the clerk's office closes on the last day the office has hours before the election. [§ 2531\(a\)\(2\)](#).

What if a voter is unexpectedly ill or injured?

- At your discretion, in cases of emergency—including unexpected illness or injury—you may accept an absentee ballot request after the deadline (the close of your office on the last day you have hours before the election). This allows you to accept a request if, for example, someone was hospitalized because of a car accident on the night before or the day of the election, planned to vote at the polls, and so had not made a request for an absentee ballot.
 - The law also allows for the electronic delivery of the ballot to voters who are ill or injured. The person can then download the ballot, print it, and have it returned by a person of their choosing.

For how long is an absentee ballot request valid?

- An early/absentee ballot request is valid for:
 - The election(s) specified by the voter,
 - The time frame specified by the voter, or
 - The rest of the year.

The request can only be valid for elections or a time frame within the same calendar year. [§ 2532\(d\), \(e\)](#). Requests made via the Voter Portal will appear in your VEMS Reminders for you to process. Be sure to download the PDF of the request and save it in your records. (See [Appendix R – Elections Related Record Retention Info Sheet for Municipal Clerks](#)).

What about Federal Post Card applications & absentee requests?

- Applicants who live outside the United States or who are in the military (UOCAVA) can also use the Official Federal Post Card application to request absentee ballots and to register to vote. [§§ 2532, 2549](#). All first-time applicants for addition to a Vermont checklist must take the Voter's Oath, which can be administered by any person over 18 or by the voter themselves. [§ 2124](#).

What to Include When Issuing an Early/Absentee Ballot by Mail

For every absentee ballot request, you need to provide the following to the voter:

- An outer mailing envelope for the voter to use to return the ballot(s);
- An inside certificate envelope for the voted ballot (there are unique certificate envelopes for the primary and general elections);
- Ballot(s); and
- An “unvoted ballot” envelope (August Primary Election **only**).

August Primary: Provide voters with all major party ballots for the August Primary Election. They then select one to vote and return the other 2 unvoted ballots.

Presidential Primary: The voter must request which ballot they would like to vote. You then provide only that party’s ballot to them.

Issue Ballots to UOCAVA Voters

See [Military & Overseas Voters \(UOCAVA\)](#) for more information about these voters.

- **Federal law requires you to send ballots military and overseas voters at least 45 days before primary and general elections.**
- **If the voter requested that the ballot be delivered by mail, you must issue the ballot by airmail, first class, and using the postage paid envelopes provided by the Elections Division.**
- Between the 46th day before the election and Election Day, you must send absentee ballots to any UOCAVA voter who requests them within 24 hours of receiving the request.
 - Your clerk’s office must remain open on the 46th day before any primary or general election. This day is usually a Friday, so please plan accordingly.
 - You must mail ballots or issue electronic requests to UOCAVA voters who requested absentee ballots on or before that day. [§ 2539\(c\)](#).

Electronic Ballot Delivery to UOCAVA Voters

What happens when UOCAVA voters request that their ballots be sent by email:

- The voter receives an email notifying them that their ballot is available via the Voter Portal.
- Following the instructions in the email for how to access the Voter Portal, the voter downloads a PDF of the ballot, the certificate to sign, and the ballot marking instructions.
- After voting their ballot(s), the voter returns their ballot(s) to the clerk's office by mail for processing and counting.

Note

Voters who do not reside overseas and are only traveling or visiting are not included under UOCAVA and cannot request electronic ballot delivery.

Ways to Issue an Absentee Ballot

Vote in Office

This method may be used by all voters. Voters may fill out a request, then vote in person at the clerk's office. They will place the voted ballot in the certificate envelope, complete and sign the certificate, and return the ballot(s) without leaving the clerk's office. This may be done during all regular business hours before the closing of the town clerk's office on the day before each election. [§ 2537](#).

The BCA may vote to allow those who vote early in the town clerk's office to deposit their ballots directly into the tabulator. [§ 2546b](#).

Take from Office

This method may be used by all voters. Voters may fill out a request, then take the ballot from the clerk's office to vote elsewhere. Only the voter may take the ballot from the clerk's office. The ballot can be returned in the same manner as if the ballot was received by mail—anyone can return a ballot in a certificate envelope. [§ 2537](#). No other

person except the voter can pick up a ballot for a voter—not their spouse, child, or parent.

Mail

This method may be used by all voters. The voter can request absentee ballots through the [Vermont Voter Portal](#), or can submit a paper request. The clerk then mails the absentee ballots and appropriate envelopes to the registered voter. We suggest that you offer to use a delivery service for military and overseas voters, if possible. [§ 2539](#). In order to be counted, all absentee ballots must be returned to the clerk before the close of the polls on Election Day, either in person or by mail. On Election Day, you should check both the U.S. mail and any ballot drop box at the town clerk’s office before the close of the polls.

Email/Electronic or Fax

Qualifications

This method may be used by the following voters:

- [UOCAVA voters](#);
- **Voters who are ill, injured, or have a disability; and**
- **Safe at Home address confidentiality program participants.**

Along with the ballot(s), you must include instructions and a copy of the certificate for the inside absentee envelope. [§ 2539\(b\), \(c\)](#).

Email

After the clerk approves the request, VEMS will send an email to the voter that night. When they receive the email, the voter can log in to the [Vermont Voter Portal](#) and print the instructions, certificate, and ballot(s). The voter will not be able to access the Voter Portal if their login credentials and the voter record do not match (the record should contain the voters first/last name, date of birth, and/or driver’s license/social security number). Check the voter record when entering the absentee ballot request in VEMS.

Voters will mark the printed ballot, put the voted ballot inside an envelope, cut out the printed certificate and attach it to the envelope, complete and sign the certificate, place

the certificate envelope containing the ballot inside a mailing envelope, and mail or have the ballot delivered to the town clerk by the close of the polls.

Please urge any person who requests this method close to Election Day to use an overnight delivery service to return the ballot to you before the polls close on Election Day. A town can pay for a delivery service. However, a town is not mandated to do so. All ballots must be returned by mail. **Electronic return of voted ballots is not allowed.**

Online Ballot Marking Tool

This option may be used by voters who receive their ballot electronically. The online ballot marking tool is useful for voters who are visually impaired or have another disability that makes marking a paper ballot difficult. Anyone else, including UOCAVA voters, can also use this tool. The tool allows voters to mark their votes on their preferred device's screen. They can then print the marked ballot. They also print the certificate and instructions for returning the ballot(s). They return the ballot to the clerk by mail.

Fax

Similarly to sending a ballot package by email, you must include the necessary envelopes and instructions for the voter to use when returning their ballot.

Home Delivery by Justices of the Peace

This method may be used by voters who are ill, injured, or have a disability. Pairs of Justices of the Peace may deliver early/absentee ballots to voters who request this option. The request must be made by 5 p.m. or the close of the town clerk's office the day before the election. [§ 2539\(b\)](#).

No later than 3 days before the election, the BCA, or at the request of the BCA, the clerk, designates pairs of Justices of the Peace to deliver and return the ballots. The pairs of Justices of the Peace are selected then assigned a list of voters to whom they will deliver ballots. A pair should not consist of 2 Justices from the same political party. If there aren't enough Justices of different parties available, the BCA may appoint other registered voters as election officials to assist. [§ 2538\(a\), \(b\)](#). A BCA is not required to deliver ballots outside of the town, but they may choose to do so. Be sure to develop

and follow a fair policy on how far Justices may travel to deliver ballots. This helps ensure that voters are treated equally.

Once the Justices of the Peace reach the voter, they must present the ballot(s) and envelope to the voter as a pair. The voter may then vote in private or in the presence of both Justices.

An absentee voter who is physically unable to mark the ballot may request that one of the Justices mark the ballot as directed by the voter in full view of the other Justice. [§ 2538\(c\)](#).

The voter then places the ballots in the certificate envelope and completes the certificate on the front of the voted ballot envelope. The voter must sign the certificate. If they are physically unable, the Justices of the Peace print the voter's name, note "Signed by Justices of the Peace for voter", then both sign the certificate.

The Justices of the Peace return the ballots and envelopes to the polling place where the voter would have voted in person, or to the town clerk, if voting early. [§ 2538](#). Before Election Day, the ballot envelopes are stored securely with all returned absentee ballot envelopes.

Ballot Mailings for Special Elections

Does the clerk need to send absentee ballots again for a reconsideration or rescission vote?

Yes. If a petition is received for reconsideration or rescission of an Article previously voted on, absentee ballots for the reconsideration or rescission vote shall be sent to all voters who requested an absentee ballot be sent to them for the initial vote on that article. [§ 2661\(d\)\(2\)](#).

Does the clerk need to send absentee ballots again for a budget revote?

No. Absentee balloting must be available in the same manner as usual, as soon as the ballots are available, but there is no requirement in law to mail ballots to all voters in the budget revote who requested them in the initial vote. This is considered under the law to be a new election. However, we recommend that you at least try to mail absentee ballots to those voters who requested ballots for the *entire year*.

Return of Early/Absentee Ballots

Voters must return their early/absentee ballots:

- By any means, to the town clerk's office before the close of business on the day before the election;
- To any secure ballot drop box provided by the town or city in which the voter is registered before the close of business on the day before the election;
- By mail to the town clerk's office before the close of the polls on the day of the elections; and
- By hand delivery to the presiding officer at the voter's polling place before the closing of the polls at 7:00 p.m. [§ 2543](#).

The clerk is required to retrieve and count any absentee ballots that arrive to the clerk by mail before the close of the polls on Election Day, any that were dropped in a secure ballot drop box provided by the town, or that are hand delivered to the polling place before the close of the polls on Election Day. [§ 2543](#).

If a ballot includes more than one page, the early or absentee voter is only required to return the page upon which the voter has marked their vote. [§ 2543\(c\)](#). This provision is intended for the rare case where the language of an article is so long that it takes up more than one page of the ballot before the voter is even asked to record their vote (e.g., union school district formation votes). In these cases, the page containing the voter's vote is the only page that must be returned.

Defective Ballots

How to Identify Defective Ballots

Except for ballots that election officials find to include identifying marks while counting them, all ballots considered defective are a result of errors in the process of returning absentee ballots.

Returned absentee ballots are considered defective if:

- The identity of the voter cannot be determined;
- The absentee voter is not legally qualified to vote;
- The absentee voter has voted in person or previously returned a ballot in the same election;
- The certificate envelope is not signed;
- The voted ballot is not inside the certificate envelope; or
- The voter did not return the unvoted primary ballots, in the case of the August primary election.

How to Process Defective Ballots

Before processing any defective ballots, prepare the necessary materials to properly track your work. Appendices H and J are available in the print edition of the *Guide* and in the VEMS Document Library.

1. Print the Defective Ballot Envelope (Appendix H) and attach it to a manila envelope or large mailing envelope.
2. Print the Defective Ballot Marking Cards (Appendix J) (at least 2 sheets) to attach to each defective ballot received.

Under the law, you must open the mailing envelope and determine whether a returned ballot is defective within 3 days of receiving the ballot. [§ 2546](#).

If you determine a ballot is defective for any of the reasons listed:

- Mark the return status as “Defective” in VEMS.
- The presiding officer must attach a note to each defective ballot or unopened certificate envelope indicating the reason it is defective. (See Appendix J).
- Staple together the ballot, certificate envelope, mailing envelope, and the Marking card for easy identification later.
- Place the ballot and other materials with any other defective ballots in an envelope marked “Defective Ballots—Voter Checked Off Checklist—Do Not Count”. (See Appendix H).
- Add a mark to the tally of defective ballots held in the envelope.

After the polls close, add the number of defective ballots to the total number of ballots counted. This number excludes the ballots of those who voted in person because they cast a ballot. This step reconciles the number of voters marked off the checklist.

Notify the Voter of Their Defective Ballot

No later than the next business day after the ballot is deemed defective, you must notify the voter of their defective ballot. The notice must include the reason it is defective and explain how the voter may correct (“cure”) the error. You can notify the voter by mail, phone, or email. The Elections Division has provided postcards to all towns that you may use to notify voters by mail. [§ 2546](#).

Beginning 5 business days before the election, you are not required to *mail* a notice to voters for their defective ballot. Instead, you must make a reasonable effort to provide notice to the voter as soon as possible, using any other contact information from the voter checklist, and record the ballot as defective in VEMS no later than 24 hours after it is deemed defective. [§ 2546\(b\)](#).

Ways to Notify the Voter of Their Defective Ballot

- **Postcard** – The Elections Division created 2 distinct postcards for each of the categories of defective ballots, with instructions for the voter on how to correct the error. Send the applicable postcard to notify a voter of their defective ballot by mail. Remember to check off the appropriate reason on the postcard for their ballot being defective.
- **Email** – If you notify a voter by email that you need their signature, attach to the email a letter explaining the error and an affidavit to obtain their signature. (See Appendix Q – Defective Ballot Notice, available in the print edition of the *Guide* and in the VEMS Document Library). You can automatically send an email and affidavit to the voter from VEMS, if there is an email address in the voter record.
- **Voter Portal** – The voter can log in to the [Vermont Voter Portal](#) to cure their ballot. Once you mark the ballot as defective in VEMS, a notice appears on their Voter Portal page to prompt them to correct the issue or sign an affidavit that the ballot should be counted, despite the error. If you send an email via VEMS, the notice and attached letter will include a link to the Voter Portal.

Curing Ballots

Reasons to Cure

Vermont law allows the voter an opportunity to correct their ballot if it is marked defective for the reasons described in statute. [§ 2547](#). There are 2 categories of defective ballots: those that “need signature” to be cured and those that “need more information”.

- **Need signature:**
 - The certificate envelope is missing a signature.
 - The ballot wasn't in the certificate envelope.
 - The voter didn't return their unvoted primary election ballots.
- **Need more information:**
 - The voter did not submit ID when they first registered to vote.
 - The voter already returned a ballot.

How the Voter May Cure a Defective Ballot

- Correct the defect in person at the clerk's office;
- Request that a new ballot and return envelopes be sent to them, replacing the first defective ballot; or
- Submit a signed postcard or affidavit asking that the ballot be counted despite the error (only for the scenarios that "need signature" above);

The voter can return their signed postcard or affidavit by mail, email, in person at their town clerk's office, or they can sign the affidavit through the Voter Portal. If you receive a correctly completed postcard or affidavit, remove the ballot from the Defective Ballot Envelope and count the ballot. When you remove it from the Defective Ballot Envelope, note a cured ballot in the appropriate column of the envelope cover. Determine the total defective ballots by subtracting the number corrected/cured from the number that were placed in the envelope.

The signed postcards or affidavits should remain in the ballot bag for the retention period (90 days for a local election and 22 months for statewide elections).

If the voter requests a new ballot instead of signing the postcard or affidavit, enter a second absentee request and issue date in VEMS. If the voter then returns the second ballot correctly, mark the Defective Ballot Envelope cover to indicate one of the ballots has been cured. Attach a note to the ballot in the envelope to indicate that it has been cured. The ballot in the envelope should then have a note attached to indicate it has been cured. It should remain in the Defective Ballot Envelope to ensure it won't be counted.

If the voter successfully cures their error, update the return status of the ballot in VEMS from "Defective" to "Received / Cured Ballot".

Early Processing of Ballots

If your town would like to process but not count early/absentee ballots early, your BCA must vote to allow this. [§ 2546a](#).

Refer to the *Absentee Ballot User Guide* in VEMS, absentee ballot processing instructional guides, and bulletins from the Elections Division for detailed instructions on how to process early/absentee ballots.

During the 30 days before the election, Vermont law allows the town clerk to direct 2 election officials to process but not count early/absentee ballots.

1. **Open** – Open the outside mailing envelope on any returned early/absentee ballot within 3 business days of receiving it.
2. **Inspect** – Check that the certificate envelope is signed and the voted ballot is in the certificate envelope. Make sure the ballot is not defective for any other reason described in [§ 2547](#).
 - For the primary election, also check that the unvoted ballots are returned in the unvoted ballot envelope.
3. **Record** – If acceptable, check the name of the voter off the checklist (record the return date of the ballot in VEMS).
 - If defective, follow the [instructions for processing defective ballots](#).
4. **Store** – Place the certificate envelopes in a secure container marked “Checked-in Early voter absentee ballots” to be transported to the polling place(s) on Election Day, or open the certificate envelope and place the voted ballot in the ballot box or tabulator in accordance with [§ 2546a](#).

During polling hours on Election Day, you can open the certificate envelopes, then feed the ballots into the tabulator or place them in the ballot box. See [§ 2546\(c\)](#).

Early Processing with Tabulators

The BCA may vote to permit elections officials to deposit early voter absentee ballots that have not been deemed defective in the tabulator during the 30 days before the election. Follow [§ 2546a](#).

V. Election Day Duties

This section describes Election Day duties. Read carefully! The Elections Division is available from 6 a.m. until at least 10 p.m. on every Primary and General Election Day to assist if you have any questions. Please call 802-828-0588, or our direct lines, with questions or if any issues arise. We will stay as late as necessary to assist you, but you must call before 10 p.m. to let us know you will need help.

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Election Day Task Checklist

This checklist includes only the items covered in this section and does not include all possible tasks or responsibilities you, as clerk, may have before each election.

Task	Election	Date(s) Completed
Post polling hours at polling place(s); posting at clerk's office recommended	All	
Open polls between 5-10am	All	
Confirm tasks & shifts for pairs of election officials	All	
Mark place for pollwatchers to observe	All	
Designate area for signs outside the polling place	All	
Post vote count limit signs	All	

Open the Polls

- Post the polling hours in large print on the polling place doors.
 - We recommend posting the polling hours wherever you post the Warning of the election, plus at your town clerk's office, if that is not your polling place.
- The presiding officer must open the polls on Election Day between 5 a.m. and 10 a.m. at the time established by the BCA. [§§ 2494, 2561](#).
- Some neighboring states have uniform opening hours. This sometimes confuses voters because they hear radio announcements that do not apply to Vermont.
- The presiding officer assigns election officials to work in pairs, with no pair containing members from the same political party, if possible. [§ 2562](#).
 - At least 2 election officials must be present at the polling place at all times. We strongly suggest that you have at least 3 officials scheduled at all times. If at least 3 officials are present, then one official could leave the polling place and there will still be at least 2 officials present.

- Designate a place for pollwatchers, if any in attendance. The town clerk and presiding officers should either set out chairs, guardrails, or mark with tape where the pollwatchers can be located to observe.
- Deliver all supplies to the polling place(s), if not done already.

Pollwatchers

Vermont law refers to pollwatchers as “challengers.” See [§ 2564](#). We refer to them here as pollwatchers.

How should the clerk prepare?

- Presiding officers have the right to make reasonable rules to control the activities of pollwatchers.
 - These rules can include: no use of cell phones in the polling place; no talking that interrupts the work of the election officials, etc.
- We suggest that presiding officers develop a policy for what pollwatchers can and cannot do, and that the policy be posted, with copies available.

Who can be a pollwatcher?

- Representatives of political parties, candidates, and political committees have a right to have no more than 2 representatives for each voting district present and observing voters at the entrance checklist.

What can a pollwatcher do or not do?

- Pollwatchers have the right to hear the name of each voter restated by the entrance checklist election official.
- Pollwatchers do not have the right to set up their own tables and require voters to stop and give them their names. This is beyond what statute allows.

Why can a voter be challenged by a pollwatcher?

- Political parties, candidates and political committees have a right to challenge a voter's right to vote on only 2 grounds:
 - A voter has already voted in the same election, or
 - The voter is not, in fact, the person whose name appears on the checklist. [§ 2564](#).

These are **the only 2 reasons** to challenge a voter on Election Day. If a voter is challenged for one of these 2 reasons, then the BCA must convene immediately to hear the facts, and rule on the matter at the polling place. [§ 2564](#). Please note that asserting that a person does not reside in the town is not one of the permitted bases for a challenge.

In polling places with 500 or fewer names on the checklist, these same groups—political parties, candidates, and political committees—have a right to view the checklist twice during the Election Day at times convenient to election officials if prior written requests were made at least 12 hours before the polls open. [§ 2572](#).

Interested in being a pollwatcher?

- Contact the town clerk before Election Day ([clerk contact info](#)). This will ensure you can perform permitted activities without interfering with the voting process.

Campaigning outside the Polls on Election Day

- Campaigning is a First Amendment right that cannot be unreasonably restricted.
- The presiding officer must ensure that no one campaigning interferes with any voter entering or exiting the polling place. [§ 2508](#).

Develop & share your campaigning policy

- We strongly recommend that the presiding officer and BCA establish a written policy informed by statute for where candidates and supporters may campaign outside each polling place. The Elections Division can review this, if requested.
- The policy must ensure that voters may enter and leave the polling place without interference, and that campaigners can still share their message. Balance the rights of both voters and campaigners.
- A campaigner may be able to challenge the policy of the presiding officer if they believe the clerk and BCA's interpretation of statute unreasonably restricts First Amendment rights to present information to voters.
- Use discretion and consider the terrain and specific situation at each polling place when crafting the policy. Vermont law does not provide a specific distance that campaigners must be from the polling place.
 - For example, a presiding officer can direct campaigners not to block the stairs or walkways, or to stand in particular places next to the walkways.
- Share the written policy with campaigners and anyone else interested. Most campaigners feel better if they see that they are being treated equally. A written policy reinforces this.

Signs outside the Polling Place on Election Day

- During polling hours on Election Day, the presiding officer shall control the placement of signs on the property of the polling place in a fair manner. [§ 2508](#).
- Develop a written policy informed by statute for where and how people may place signs at the polling place. This will help ensure equal treatment of those placing signs. It also gives you a resource to refer to if someone does not follow your guidelines.
 - For example, a presiding officer can develop a policy that doesn't allow signs to be attached to the building or signs to be placed in the ground on the property containing the polling place on Election Day.
 - Or, a presiding officer may allow signs to be placed on a certain area of the lawn, with reasonable limits to the size and number of signs per candidate.
- There are First Amendment rights supporting a citizen wanting to stand outside a polling place and hold a sign, as long as they don't interfere with voters entering and exiting the polling place.
 - Also, if a car is legally parked outside a polling place, and happens to contain a political sign, the presiding officer cannot order the car to be moved.
 - Please make sure that each polling place has at least 2 well-marked handicapped parking spaces that are kept open for voters.

Items Not Allowed inside the Polling Place

It's important that polling places remain neutral and non-partisan. Voters may vote however they wish without being influenced or interrupted. As presiding officer, it's your responsibility to ensure that voters feel safe and their behavior is orderly at the polls.

The rules about campaigning and displaying political materials at the polling place apply to the town clerk's office during the early or absentee voting period. [§ 2508\(a\)\(1\)\(C\)](#).

Inside the building containing a polling place on Election Day, the following items may not be placed, handed out, displayed, or allowed to remain:

- Campaign literature,
- Stickers,
- Buttons,
- Name stamps,
- Information on write-in candidates, or
- Other political materials. [§ 2508](#).

The presiding officer also ensures that no candidate, election official, or other person solicits voters regarding an item or candidate on the ballot or otherwise campaigns in the polling place. More general political materials are allowed at the polls—for example, a “Make America Great Again” hat or “Black Lives Matter” shirt. You may only prohibit people from wearing, displaying, or handing out political materials in the building of the polling place that:

- Display the name of a candidate on the ballot,
- Display an organized political party, or
- Demonstrate support or opposition to a question on the ballot.

What can a voter bring into the voting booth with them?

As long as they don't show the item to others in the room, voters may bring with them:

- A small card or folded paper to remind the voter how to vote,
- A label or sticker to place on the ballot to vote for a write-in candidate so long as the voter is not displaying the paper or label to others in the room. [§ 2587\(e\)](#).

What about candidates at a floor vote?

The law explicitly allows for a candidate nominated for local office from the floor at annual meeting to introduce their candidacy to the extent permitted by the voters at the meeting. See [§ 2640\(c\)](#).

How to Address Voters with Items Not Permitted in the Polling Place & Maintain Orderly Conduct

- Your first responsibility is to ensure that everyone may vote.
- Do not prohibit someone from voting.
- Politely ask the voter to remove or cover the item from view while they're inside the polling place.
- Do not attempt to remove items from the voter's clothing or body.
- If the voter refuses to remove their item(s), do not prohibit them from voting. Ensure that the voter casts their ballot as quickly as possible and leaves the polling place with the item(s).
- Assign one election worker to check the voting booths regularly to make sure that no political materials have been left inside the booths.

Vermont laws about how someone acts in any public place, such as disorderly conduct, also apply to the polling place.

- Have contact information for local law enforcement easily available, if it's needed.
- If voters complain about actual harassment outside the polling place, call a law enforcement officer to help resolve the problem.

Processing Absentee Ballots on Election Day

Prepare & deliver to polling places

- Prepare unprocessed absentee ballots for delivery to polling places.
 - Add a note to each voting district's entrance checklist recording the number of boxes of absentee ballots delivered. For example: "2 Boxes of Absentee Ballots to Process". Clearly label each box, too. For example, "Box 1 of 3," "Box 2 of 3".
- Deliver to presiding officers all absentee ballot certificate envelopes received but not yet processed through the tabulator or placed in the ballot box. Deliver the ballots to the polling place where the voters would have voted in person.
- Place all boxes together in a designated place only accessible to election officials and where no other items may be placed with or on the boxes to obscure them from view.

Process for previously examined/checked in ballots

These are ballots that were already removed from the mailing envelope and marked off the checklist. Any defective ballots were already identified, and the voters should have been notified. See [§ 2546](#).

2 election officials, preferably of different parties, should process them:

- Election Official 1:
 1. Open the inside envelope,
 2. Turn the certificate side face down, and
 3. Hand the certificate envelope face down to the second election official.
- Election Official 2:
 1. Receive the certificate envelope from the first election official,
 2. Remove the ballot from the face-down envelope, and
 3. Deposit the ballot in the ballot box or tabulator.

Process for ballots not previously examined/checked in

These are any ballots received in the 3 days before the election that have not been opened, determined to be defective or not, or marked off the checklist. 2 election officials, preferably of different parties, should process them. Appendices H and J are available in the print edition of this *Guide* and in the VEMS Document Library.

1. Open the outside mailing envelope.
2. Confirm that the absentee voter is on the checklist, has not already voted, and is not marked as requiring additional documentation.
3. Check that the certificate envelope has been signed, the voted ballot was placed in the certificate envelope, and the ballot is not defective for any other reason pursuant to [§ 2547](#).
 - August Primary only: Check that the 2 unvoted ballots have been returned in the unvoted ballot envelope.
4. If **acceptable**, check the name of the voter off the checklist (you will need to record the return date of the ballot in VEMS later), and continue processing as described above for previously examined/checked-in ballots.
5. Mark the ballot as **defective** if...
 - The certificate is not signed, or
 - The voted ballot is outside the certificate envelope, or
 - The unvoted ballots have not been returned (primary election only).
6. Attach a note to the defective ballot describing why it is defective (Appendix J).
7. Place the defective ballot into an envelope marked “Defective Ballots – Voter Checked Off Checklist – Do Not Count” (see Appendix H). [§ 2547](#).
8. If practicable, make any reasonable effort to notify a voter whose ballot is deemed defective that they may come to the polling place and cure the error before the polls are closed.

Absentee ballots replaced at the polls on election day

If a voter appears at the polls to vote in person with all unmarked absentee ballots and envelopes, the presiding officer must take back all of the absentee ballots and envelopes and give them to the town clerk. Then, allow the voter to vote in person. [§ 2548](#).

- Mark the returned absentee ballots as “Replaced – Voter Given another Ballot”.
- Place them in the envelope marked “Replaced Ballots- Do Not Count”. [§ 2568](#).

Affidavit of Undelivered or Lost Ballots

- If a voter who requested absentee ballots comes to the polling place to vote and does not have the unmarked absentee ballots, have the voter sign an affidavit of undelivered or lost ballots. Then, give the voter ballots to vote in person. (See [Appendix C – Affidavit for Undelivered or Lost Ballots](#)).
- **Make copies of the Affidavit of Undelivered or Lost Ballots to bring to the polling place.**

In-Person Voting Procedures

Check in the voter

- 2 election officials should maintain the table with the entrance checklist.
- When the voter arrives at the check-in table, the voter must state their name in a clear and audible voice. If requested, they should provide their legal address/physical location.
 - **Exception:** Safe at Home voters will identify themselves as “Voter #XXX Blind Ballot” and do not need to disclose their legal addresses.
 - Repeat the voter’s name back to them in a loud voice.
 - This serves to confirm the voter’s identity, and meets the needs of any pollwatchers, who have the right to hear or see the name of each person seeking to vote. [§ 2564](#).
- Find the voter on the entrance checklist and mark them off.
 - **Presidential Primary:** Mark on the entrance checklist which party ballot the voter requests.
- First-time voters who registered by mail or online and *did not* provide identification documentation must provide it before voting.
 - If they haven’t provided documentation before, this will be indicated on the checklist.
 - Examples of acceptable ID:
 - Valid driver’s license,
 - Government check,
 - Utility bill, or
 - Other government correspondence showing the voter’s current address.
 - **Exception:** A voter whose driver’s license or the last 4 digits of their Social Security Number has been verified in VEMS is no longer required to provide documentation. See Appendix T – Voter ID/Documentation FAQ for Vermont Clerks in the print edition of this *Guide* and in the VEMS Document Library.

- If the voter hasn't taken the Voter's Oath, they must do so before voting. This will be indicated on the checklist, too. [§ 2563](#).

What to do if the voter's name is not on the checklist

- **Reinstate** – If you can't find the voter on the checklist, they may have been removed by mistake.
 - The presiding officer should call together all present BCA members to review the facts. They may then vote to return the name to the checklist. See [§§ 2147, 2150\(d\)\(6\)](#).
- **New Registration** – If the voter has never was on the checklist but insists that they are qualified to vote in your town and in the district of the polling place, have them fill out a new registration. If they should register in a different district or town, direct them to that district or town to vote.
 - Every person registering to vote on Election Day needs to understand that they are stating, under the penalties of perjury, that they meet the requirements to register to vote in your town or city.
 - Inform them that they are completing the application under the pains and penalties of perjury, which carry up to a \$10,000 fine or 15 years in prison, or both.



STOP! CALL THE ELECTIONS DIVISION BEFORE ISSUING ANY PROVISIONAL BALLOTS!

Provisional Ballot – If the person refuses to complete a voter registration application but still demands to be allowed to vote, refer them to the presiding officer. Discuss the situation with the Elections Division first. If the voter still refuses to complete a voter registration form, you may give them a provisional ballot to use, per federal law.

- You should bring a supply of provisional ballot envelopes to the polls. If you find you are running low, contact the Elections Division. Please call the Elections Division on Election Day before using any provisional ballot envelopes.

Note

Some voters hear on the news that voters in other states can go to *any* polling place in the state to vote for President. This is not true in Vermont.

Issue Ballots to Voters

- Check off the voter on the entrance checklist.
- Hand them their ballot.
 - **Presidential Primary Election only** – Ask the voter which ballot they would like to vote. The checklist officials give that party’s ballot to the voter. Next to the voter’s name on the entrance checklist, mark the party of the ballot the voter selected.
 - **Statewide August Primary Election only** – Give every voter a ballot for each major party. **A voter may vote only one party’s ballot.** [§ 2570.](#)
- Ask if they have any questions.
- Show the voter to the voting booth. [§ 2565.](#)

Voter Casts the Ballot

- The voter inserts the ballot into the ballot box or into the tabulator entry slot. They should not display the marks on the ballot.
 - Statewide August Primary – Before casting their ballot, the voter must return their 2 unvoted ballots to the election officials. [§ 2570.](#)
 - Towns using an exit checklist – Before the casting their ballot, the voter must announce their name to the election officials attending the checklist, who will then check off their name. [§ 2571.](#)
- In all elections, only the voter may place a voted ballot(s) into the ballot box or feed the ballot(s) into the vote tabulator.
- No election official can take a voted ballot from a voter.
- No ballot should be taken from the polling place by a voter, election official, or other person except when JPs perform home delivery, or 2 election officials take a ballot outside for curbside voting. [§ 2502\(b\).](#)

Replacement Ballots & Overvotes

If a voter overvotes, it means they marked more candidates than the “Vote for no more than” number in one or more races. Post signs stating “Do Not Overvote” in the polling place and in voting booths to remind voters not to overvote. See Appendix F – Notice to Voters – Instructions for Marking Your Ballot (available in the print edition of this *Guide* and in the VEMS Document Library).

- In hand-count towns – This sign is especially important in hand-count towns. Voters should carefully check the ballot before depositing the voted ballot into the ballot box.
- In tabulator towns – The tabulator will reject any ballot with an overvote, giving the voter an opportunity to receive a replacement ballot and correct the error. Or, you can override the rejection at the voter’s request and the tabulator will count the ballot, registering an overvote(s) for that race.

Voters can request a replacement ballot if they make a mistake or for any other reason. A voter can receive up to 2 replacement ballots. They must return the ballot they want replaced.

- Mark the returned/replaced ballots as “Replaced – Voter Given another Ballot”.
- Deliver the replaced ballot(s) to the presiding officer, or their designee, immediately.
- The presiding officer shall tear the replaced ballots in half and place them in the envelope marked “Do Not Count—Replaced Ballots”. [§ 2568](#). (See Appendix I – Replaced Ballot Envelope, available in the print edition of this *Guide* and in the VEMS Document Library).

The votes on these ballots should never be counted. You don’t need to otherwise account for these. Make a copy of Appendix I to attach to a manila envelope to hold replaced ballots.

You don’t need the ballots in the “Replaced Ballots” envelope to reconcile with the checklist. You gave the voters new ballots, which they then voted and placed in the ballot box or tabulator.

Tabulators flag ballots with overvotes

Tabulators reject a ballot if the voter overvoted in a race. In other words, if they marked more candidates than the “vote for not more than” number.

See your [Vote Tabulator Guide](#) for tabulator operating instructions.

If the tabulator rejects a ballot because of an overvote, explain to the voter that they voted for too many candidates in the race. They have 2 options:

- The voter receives a replacement ballot and mark their votes on that.
 - The voter may press the red “Return” button below the tabulator’s screen, and it will release the ballot back to them.
 - The election official monitoring the tabulator then returns the ballot to the presiding officer who place it in the Replaced Balot envelope.
- The voter casts the overvoted ballot, understanding that some votes won’t count.
 - Instruct the voter to press the green “Cast” button below the tabulator’s screen. The machine will accept the ballot.
 - While the overvoted contests on the ballot will not count, any other contests with valid voter markings will still be counted.

Close the Polls

Polls close at 7:00 p.m. in all Vermont municipalities.

The presiding officer announces that the polls are closed at this time.

If there are voters still waiting to be checked in or to vote, you must give them the opportunity to complete the voting process.

No one arriving after the polls close can be allowed to vote at that election. [§§ 2561, 2581](#).

The presiding officer should place one election official at the end of the line when the polls close to ensure that no one enters the line to vote after the announcement.

Throughout the day, if all absentee ballots couldn’t be run through the tabulator or processed, continue to process the ballots just as if the voters cast their ballots before the polls closed.

VI. Election Duties after the Polls Close

This section describes the duties of Representative District, Senatorial District, and County clerks from the moment the polls close on Election Night until 48 hours after.

The Elections Division emails bulletins to all clerks reminding them of the deadlines and tasks to be completed after each election.

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Examine & Reconcile Checklist(s)

- Tally the number of voters checked off the entrance and exit checklists (if using an exit checklist).
- The presiding officer records the number of voters tallied on the Official Return of Votes (ORV).
 - If the tallies don't match, find any errors in the count and correct them. If you don't find any errors, the presiding officer must report any discrepancies between the checklist(s) and the number of ballots counted.
 - Report discrepancies on Part A of the ORV.
 - Call the Elections Division for help explaining any discrepancies.

Count the Ballots

The presiding officer directs all ballot counting procedures. [§§2583, 2587](#).

Secure the Area – Once the polls close and the last voter completes the voting process, the presiding officer must ensure that only election officials enter within the guardrail until all votes have been counted. No one else may enter until the counting is complete.

Observers of the Count – Members of the public must be allowed to watch the counting process but not interfere with the orderly count and return of votes. [§ 2581](#). If counting occurs in a separate room, the public must have the opportunity to observe the counting process from a designated area. Observers may not mingle and wander around in the area where election officials are counting.

Results for Justice of the Peace – In counting Justices of the Peace, if the number of candidates nominated is the same as JPs to be elected, the presiding officer may declare the entire slate elected without individual tallies, so long as each person has more votes than the number of write-ins for any write-in candidate. [§ 2587\(f\)](#).

Write-in Candidates

New in 2026!

For a write-in candidate's votes to be reported, the candidate generally must file a write-in candidate form. They can do so either with the Secretary of State's office or with all the town clerks in the candidate's applicable district up until the Thursday before an election. The Secretary of State's office will then provide clerks with a list of all filings that come to us.

You will only count and report write-in votes individually for filers and other candidates explained below. Individuals who filed a write-in candidate form, unless one of the specific exceptions occurs. You will tally all other write-in names, messages, etc. collectively as "other write-ins".

See the flow chart in Appendix S – Counting & Reporting Write-in Votes (available in the print edition of this *Guide* and in the VEMS Document Library) and review [§ 2587](#).

Counting Write-in Votes

- **Count the write-in vote for a candidate whose name is preprinted on the ballot for a particular office as a vote for that candidate if:**
 - A voter writes the candidate's name or pastes a label containing the candidate's name on the ballot, even if they don't fill in the oval after the name.
 - In the primary, votes are counted only for the party for which they are cast. They are not carried over to other party totals. For example:
 - What if a voter writes "Phil Scott" for Governor on the Republican ballot even though Phil Scott is already a preprinted candidate? Add a vote to Phil Scott on the Republican tally.
 - What if a voter writes "Phil Scott" for Governor on the Progressive ballot even though Phil Scott is preprinted on the Republican ballot? Add a vote to Phil Scott only on the Progressive tally.
 - What if a voter writes "Phil Scott" for Treasurer on the Republican ballot even though Phil Scott is only a preprinted candidate for

Governor and did not register to be a write-in for Treasurer? Report this vote as an “other write-in.”

- The candidate has not already received a vote for that office on that ballot. A person who receives more than one vote for the same office on any ballot shall be entitled to one vote, and one vote only. What if a voter fills in the oval for Jane Smith in a 3-seat Senate district and then writes “Jane Smith” into 2 of the write-in lines? Only record one vote for Jane Smith.
- **Count the write-in vote for someone whose name is not printed on the ballot if:**
 - The person named filed the form for write-in candidates provided by the Secretary of State’s office by the Thursday deadline.
 - There is no named candidate printed on the ballot for that office.
 - A candidate whose name is printed on the ballot dies or is otherwise disqualified prior to 7:00 p.m. on election day. Consult the Elections Division before proceeding with this step.
- **Other Write-ins**
 - Record the total of all these other write-in votes together on the tally sheet under “other write-ins.”
 - What if a voter writes in a nickname or last name? If it is clearly for a person who qualifies to be reported individually, add it to their tally.
 - If the number of “other write-ins” for the same nomination or office equals or is more than the number of votes cast for any named candidate for that nomination or office, record the name and vote totals on the tally sheet for **all** candidates for that nomination or office.
 - In the unlikely event that this happens in a district containing multiple municipalities, but one or more municipalities did not record the name and vote totals for all candidates:
 - On the day after the election, the Secretary of State shall order the town clerk(s) to reconvene the board(s) of civil authority.

- In the presence of at least 2 other election officials who are not members of the same political party, the clerk shall:
 - Open the ballot containers,
 - List all write-ins for the nomination or office individually,
 - Record write-in votes for all candidates.
- The clerk shall then place the entire contents in containers, attach (affix) new seals, and transmit the new seal numbers to the Secretary of State's office, as well as on the Official Return of Votes.

Counting Ballots by Tabulator

In towns using vote tabulators, please follow the detailed instructions in the [Vote Tabulator Guide](#). While vote totals for candidates named on the ballot are found on the tabulator tape, all ballots must still be reviewed for write-in votes.

Presiding Officer's Duties

- You must complete Election Night Results (ENR) reporting for all statewide elections. Complete the ENR the night of the election.
- Enter results in the Vermont Election Management System (VEMS).
- You can use the tabulator tape as you complete the Election Night Results entry, then log in the next day to complete the Official Return of Votes.
- Collect all of the packets of ballots with tally their sheets, then complete the summary sheet for any write-in votes.
- After entering the Election Night Results, you and one other election official must complete the Official Return of Votes in VEMS.
 - If you do not complete the Official Return of Votes on Election Night, put the summary sheets in the town clerk's vault and complete the ORV in VEMS the next morning. (See our packing list suggestions in [Appendix B – Ballot Bag Packing Instructions](#)).

Election Officials' Duties

- If you've completed your tasks, you can begin packing up supplies to return to the town clerk's office. Before leaving, check in with the presiding officer to be sure that there aren't any additional tasks they'd like you to do.

Procedures for Hand-Count Towns

Presiding Officer's Duties

1. Open the ballot boxes after the polls close. [§ 2581 – 2589](#).
 2. Divide the ballots into sets of equal numbers and distribute them to your election officials. If there are multiple ballots used in an election, only distribute one type at a time. [§ 2584](#).
 - We suggest sets of 50 ballots, but 25 may work better for your town. It's okay if the last set of ballots doesn't include as many as the other sets.
- Have your election officials carefully count the sets of ballots to confirm that they each contain the same number.
 - Look for any discrepancies now and recount the sets before completing any tally sheets. Your entire count could be off if a set contains 49 or 51 ballots. Correcting this type of error later will take up valuable time.
 - Write an explanation of any discrepancy that you couldn't correct. An explanation is required.
 - For example, if you have more voted ballots than names checked off the entrance checklist, then an official most likely missed checking off names.
 - Or, if you have more names checked off than voted ballots, most likely a voter walked out with a ballot and did not deposit it in the ballot box.
 - Assign pairs of election officials of different parties to count a set of ballots. Election officials must work in pairs, with no pair containing members from the same political party, if possible.

- If the BCA and election officials are all members of one political party in your town—and you couldn't find anyone else to serve as election officials—you must try to pair counters by personality and temperament so that the public will have confidence that the officials are not acting in collusion.
 - If there are registered voters in your town who are members of different parties, or who are Independent, try to appoint some election officials from different parties or Independents prior to each election.
3. Give a set of ballots to each pair of election officials. Each pair will keep the same ballots throughout the counting process, until they return the ballots and tally sheets to you.
 - Add a cover sheet to each set. This should state the number of ballots in the packet and the names of the election officials who counted them. For example, “50 ballots counted by Jane Smith and Mary Johnson”.
 4. Do not accept the ballots and tally sheets from a pair of election officials until you have confirmed that the pair accounted for all votes, blanks (undervotes), and overvotes for each race.
 5. Review any cases of ambiguous voter intent. Your election officials should bring to you any ballot markings from which they cannot determine the voter's intent. Present the ballot marking to all of the election officials present to determine by majority vote the intent of the voter.
 - If you and the election officials cannot determine the voter's intent, the ballot is blank or overvote for that race, as the case may be.
 6. If you notice an obvious error before entering the tallies onto the summary sheet, you can give the ballots back to the pair of election officials with instructions on how to find and correct the error so that the totals for each race (including blanks and overvotes) match the number of ballots cast.
 7. **The ballots cannot be recounted after you accept the set of ballots and tally sheets.**

8. **Continue to have pairs of election officials count sets of ballots in this manner until the counting is completed.**
9. **Accept all ballots and tally sheets.**
10. **Transfer the count from each tally sheet to the summary sheet(s) in the presence of at least one other election official.**
 - At this point, the presiding officer can only look for errors in transferring the numbers from the tally sheets to the summary sheets.
 - Have another election official check each set of entries from the tally sheets to the summary sheets.
 - If a candidate receives no votes, enter a zero (0).
 - Make sure to enter the totals next to the correct candidate's name.
 - **Do not recount the ballots.** Even if you believe there is a tie or another issue, do not recount. You can request an official recount as outlined in statute.
11. **Add and enter the sum of the figures on the summary sheets.**
12. **You and the other election official then must sign the summary sheets.**
13. **Publicly announce the results.** [§ 2588](#).
14. **Enter Election Night Results in VEMS.** This is required.
15. **Complete the Official Return of Votes in VEMS after entering the Election Night Results.** One other election official must assist you and sign the ORV.
 - If you do not complete the Official Return of Votes on Election Night, put the summary sheets in the town clerk's vault and complete the ORV in VEMS the next morning. (See our packing list suggestions in [Appendix B – Ballot Bag Packing Instructions](#)).

Election Officials' Duties

1. One election official reads out the votes on each ballot, while the other official marks the tally sheet.
2. After counting the set, the pair of officials should review the tally sheet to see that they have correctly counted the ballots.
3. The counting pair can go back through the ballots as many times as necessary to make sure that the tally sheet is correct. You can only correct errors *before* entering the tallies onto the summary sheet.
 - The totals will not come out correctly if all blanks are not accounted for on the tally sheet.
 - For example, if someone only votes for one candidate in a “Vote for not more than three” race, count this as one vote and 2 blanks.
 - **Best practice** may be to ask the presiding officer to review your set of ballots and tally sheet to confirm that you accounted for all votes, blanks (undervotes), and overvotes for each race. If they find any errors, they can return the ballots to you with instructions on how to find and/or correct the error(s) so that the totals for each race match the number of ballots cast.
4. Continue to count sets of ballots in this manner until the counting is completed.
5. If you cannot determine or agree upon the voter's intent of a marking on a ballot, contact the presiding officer. They will present the ballot marking to all of the election officials present to determine by majority vote the intent of the voter.
 - If the intent cannot be determined, the ballot is blank or an overvote for that race, as the case may be.
6. **The ballots cannot be recounted once the presiding officer accepts the ballots and tally sheets, and enters them on the summary sheet.**

Secure & Store Ballots, Tally Sheets, & Checklists

[Appendix B – Ballot Bag Packing Instructions](#) is a packing list to use when packing the ballot bags and other materials to return to the town office. Make copies of Appendix B and the chart below to ensure you pack the correct items in the ballot bag(s).

- Place a copy of the entrance checklist in the outside pocket of the ballot bag for delivery to the court, if there’s a recount. It can be otherwise stored with but outside the sealed ballot bags, too.
- Tag and seal the bags.
- Deliver the bags to the town clerk. See [§ 2590\(a\)\(2\)](#).

Quick Guide – Ballot Bag Packing List

Sealed in Bag	Outside of Bag	Items
✓		Packages of voted ballots (do not roll!)
✓		Envelopes containing Replaced ballots
✓		Envelopes containing Defective ballots
✓		Exit checklist, if any, & statement of discrepancies. § 2583 .
✓		Tally sheets
✓		Other election materials, as necessary. <ul style="list-style-type: none"> • The number of people checked in on the checklist as having voted, • A statement explaining, or at least listing, any discrepancies between that number and the number of ballots voted, and • The tabulator tapes.
	✓	Copy of the entrance checklist to place in the outside pocket of the ballot bag or otherwise stored along with it
	✓	Ballots that were never distributed to voters
	✓	Any vote tabulator memory card
	✓	The original entrance checklist (if packed, call Elections)

Entrance & Exit Checklists

The **exit** checklist goes in the ballot bag.

- If there is an exit checklist, it should be marked as the exit checklist and placed in the bag with the statement of discrepancies. [§ 2583](#).
- If there is no exit checklist, alternative information including the number of persons checked in on the checklist as having voted, and a statement explaining or at least listing any discrepancies between that number and the number of ballots voted, and the tabulator tapes must be stored in a ballot bag.
- If there is a recount, the county clerk needs to know as much as possible about the accuracy of the checklists.

The **entrance** checklist does *not* go in the ballot bag.

- Keep the entrance checklist out of the ballot bag. Please be careful!
- Place it in a secure location in the town clerk's office.
- The entrance checklist is a public record that you must keep for 5 years.
- The must be available for the public to inspect and copy, at cost and upon request. [§§ 2583, 2590\(e\)](#).

What to do if you place the entrance checklist in a sealed ballot bag by mistake

- Submit a written request (email acceptable) to the Director of Elections for permission to open the ballot bag. You may call to discuss the situation before writing.
- If granted permission, you may open the ballot bag and remove the entrance checklist.
 - You must do this in the presence of at least **2** other election officials who are not affiliated with the same party, if possible.

Tag & Seal All Ballot Bags

- The tag for each ballot bag must list all of the contents of the bag:
 - The town to which it belongs,
 - Which bag contains the Exit Checklist (if any),
 - The name of the presiding officer,
 - The date, and
 - The bag number (for example, “Bag # 2 of 5”).
- If you have trouble writing the contents on the tag, you can insert a paper list of the contents in the outside open pocket of the ballot bag. Keep a copy.
- You can copy the sample “Contents of ballot bag” list in [Appendix B – Ballot Bag Packing Instructions](#).
- Secure and seal each ballot bag with a seal.
 - Note the seal numbers on your Official Return of Votes.
 - Keep a copy for your files.

Store the Ballots

Review the Election Materials Retention Guidance for full retention guidance from the Vermont State Archives & Records Administration (VSARA). See [52 U.S.C. §20701 - 20706](#) and [§ 2590\(d\)](#).

- **Primary & General Elections**
 - Store voted ballots for 22 months.
 - Store in a vault or other secure location accessible only with the clerk’s permission.
 - Dispose of unused ballots after 90 days.
- **Local Elections**
 - Store voted ballots for 90 days.
 - Store in a vault or other secure location accessible only with the clerk’s permission.
 - Dispose of unused ballots after 90 days.

Records Requests for Voted Ballots

If you receive a formal records request for voted ballots during the retention period, do not destroy them when the retention period runs out. At that time, if there is a pending request, the ballots need to be made available for inspection.

Please call the Elections Division if you receive a records request for voted ballots from any election.

Complete & Submit Election Night Results & Official Return of Votes

Check your email and the VEMS Document Library for reminders and instructions for how to complete the Election Night Results and Official Return of Votes.

Enter Election Night Results (ENR)

- **Enter your unofficial Election Night Results in VEMS as soon as possible after the election.** This fulfills your requirement to submit this information to the Secretary of State's office.
 - If you can't, email your results to sos.elections@vermont.gov. Or, report your results by telephone by calling the Elections Division.

Submit Official Return of Votes (ORV)

- Complete the Official Return of Votes in VEMS no later than 48 hours after the polls close. Do this after you enter the Election Night Results.
- The Presiding Officer and one other election official must complete the ORV.
- Both the Presiding Officer and the other election official must sign the ORV.
 - If you can't enter your Official Return of Votes on Election Night, store the summary sheets in a safe, secure place. (See our packing list suggestions in [Appendix B – Ballot Bag Packing Instructions](#)). Complete the process the next morning with one other election official. [§ 2588](#).

Primary Election Canvass Committees

Notes – All Canvassing Committee

- Each canvassing committee must also send a copy of the canvassing committee report to the Secretary of State.
- The Secretary of State preserves the reports as permanent records. [§ 2592\(m\)](#).
- Uploading the signed copy of the canvass report to VEMS sends it to the Secretary of State's office.
- You do not need to mail a signed copy to the Secretary.
 - *Please keep the original in your records.*

Representative District Canvassing Committee

Detailed instructions to perform the canvass and print certificates of nomination in VEMS will be emailed to the clerks in advance of the canvassing meetings.

Members

- Representative District Clerk (see [2022 House Redistricting List](#))
- One other election official from the district

When the Committee Meets

- Single-town districts hold the canvassing committee at 10:00 a.m. on Wednesday, the day following the primary election.
- Multi-town representative districts hold the canvassing committee meets at 10:00 a.m. on the Friday after the election. [§ 2368](#).

Process

- Tally the Official Return of Votes submitted by the clerk of each town within the representative district in VEMS.
- Complete the canvass report to be sent through VEMS to the Secretary of State.
- Generate Certificates of Nomination from VEMS when the canvass is complete.

- Issue Certificates of Nomination for the major party candidates for State Representative. [§ 2592\(d\)](#).

Notes – Representative District Canvassing Committee

- These committees are required to provide a copy of each Certificate of Election to the Secretary of State. [§ 2592\(h\)](#).
- Generating the certificate in VEMS sends a copy to the Elections Division.
- You do not need to mail a paper copy to the Secretary.

Senatorial District Canvassing Committee

Members

- Senatorial District Clerk (see [2022 Senate Redistricting List](#))
- Chair of the County Committee of each major political party, or their designees. [§ 2592\(c\)](#).

When the Committee Meets

- The committee meets at 10 a.m. on the Friday after the primary election.

Process

- Tally returns from town clerks within the senatorial district in VEMS.
- Complete the canvassing committee report in VEMS.
- Issue Certificates of Nomination for major party candidates for State Senator. [§ 2368](#).

Notes – Senatorial District Canvassing Committee

- Contact the county committee chairs well ahead of the primary election to remind them of their duty to serve on the canvassing committee.
- If a major party in your district does not have a chair, contact the state party chair. They may designate a member to serve as chair and attend the meeting.
- If a county party committee has no chair and none is designated, the canvassing committee meets without representation from that party.

County Canvassing Committee

Members

- County Clerk (see [County Clerk List](#))
- The chair of the county committee of each major political party, or their designees. [§ 2592\(b\)](#).

When the Committee Meets

- The committee meets at 10 a.m. on the Friday after the election.

Process

- Tally returns from the county clerks in VEMS.
- Complete the canvass report in VEMS.
- Issue certificates of nomination for major party candidates for probate judge, assistant judge, state's attorney, sheriff, and high bailiff. [§ 2368](#).

Notes – County Canvassing Committee

- Contact these officials well ahead of the primary election to remind them of their duty to serve on the canvassing committee.
- If a major party in your district does not have a chair, contact the state party chair to see if they want to designate a member to serve as chair and attend.
- If no chair, the committee meets without representation from that party.

Statewide Canvassing Committee

Members

- Secretary of State
- The chair of each major party, or their designee

When the Committee Meets

- The committee meets at 10 a.m. on the Tuesday after the election.

Process

- The Secretary of State's office tallies the votes for federal and statewide offices and completes the canvass reports in VEMS.
- The Secretary and chairs, or their designees, certify the canvass reports.
- The Secretary of State's office issues certificates of nomination for major party nominees for all federal and statewide offices. [§ 2368](#).

Special Counting Rules for the Primary Election

A person who receives the greatest number (a plurality) of all the votes cast by a party in the primary election shall be that party's candidate for the office listed on the ballot. [§ 2369](#). They must each receive a Certificate of Nomination.

Each canvassing committee must prepare and sign certificates of nomination for the major party nominees. They must deliver the certificates to the nominees.

Each committee must send a copy of the canvassing committee report and the certificates of nomination to the Secretary of State. [§ 2371](#).

Tie Votes in Primary

If, after the 7-day period for requesting a recount has passed and no recount has been requested, 2 or more candidates of the same party are tied for statewide or congressional office, the state committee of the party must give 5 days' notice of a meeting and within 10 days following the primary election shall nominate a candidate for the General Election.

Prerequisites

- The 7-day period for requesting a recount has passed,
- No recount has been requested, and
- 2 or more candidates of the same party are tied for the same office.

Action

A party's committee must give 5 days' notice of a meeting and shall nominate a candidate for the general election within 10 days after the Primary.

The committee chair shall certify the candidate nomination for the General Election to the Secretary of State within 48 hours of the nomination. The committee that nominates a candidate shall be as follows:

- The State committee of a party for a State or congressional office;
- The senatorial district committee for State Senate;
- The county committee for county office; or

- The representative district committee for a Representative to the General Assembly. [§ 2369](#).

Notes – Tie Vote

- In the case of a tie vote in the General Election, the canvassing committee shall immediately petition the Superior Court for a recount. [§ 2592\(I\)](#).
 - The recount for a tie vote shall be conducted by the procedures set out in detail in [§ 2602a](#).
 - Either of the candidates that is involved in a tie may notify the appropriate Superior Court that he or she is withdrawing, in which case the court shall certify the other candidate as the winner.

General Election Canvass

Members of the committees

- The committee membership is the same for the primary and the general elections for the representative district, senatorial district and county canvassing committees.

When the Committees Meet

- For the general election, all canvassing committees meet at 10 a.m. on the Tuesday following the election. [§ 2592\(a\)-\(g\)](#).

Process

- Each representative, county, and senatorial canvassing committee shall tally the returns from its district, complete the canvassing report, declare the person receiving the largest number of votes for each office to be elected, and issue a certificate of election signed by a majority of the committee. [§ 2592\(h\)](#).
- The statewide canvassing committee approves the results of statewide office elections and prepares its report to submit to the General Assembly for Governor, Lieutenant Governor, Treasurer, Secretary of State, Auditor of Accounts, and Attorney General. The certificates shall be presented to the official canvassing committee appointed by the General Assembly. [Vermont Constitution, Chapter II, § 47](#).

Certificate of Election for Justice of the Peace

The town clerk notifies successful candidates for Justice of the Peace of their election after the General Election.

The term of office for a Justice of the Peace begins on the February 1 following the election. Between when a justice is elected and February 1, the justice cannot perform official actions.

Generate the Certificate of Election

- Generate from VEMS or prepare the certificate of election for all Justices of the Peace elected. A blank certificate of election and oath of office are [available on our website](#).
- You and one other election official must sign the certificate of election.
- Mail or deliver a certificate to each candidate elected.
- Send the names and address of all justices to the Elections Division after the election. [§ 2592\(i\)](#).

Information for Newly Elected Justices of the Peace

- Take the oath of office and return a signed and certified copy of the oath with the town clerk before taking office on February 1. [4 V.S.A. § 491](#).
- Your term of office begins on February 1.
- You may not perform any official acts as Justice of the Peace before February 1.
- As a Justice of the Peace, you are also an ex officio notary public. This means that you do need to submit an application to perform notarial duties, but there is no fee associated. Please review the [Office of Professional Regulation's information about notaries public](#).

Record Voter Participation in VEMS

- All town clerks must record which voters on their checklists participated in an annual town meeting, primary election, presidential primary, and general election.
- Enter participation in VEMS no later than 60 days after the election. [§ 2593](#).

VII. Recounts & Contests of Elections

This section describes how and why a citizen, candidate, or other interested person can request a recount of the votes cast in an election, or can contest an election when they believe the outcome was not as they expected it to be.

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Local Elections

Recounts of local elections are conducted “in the same manner as the votes were counted on the day of the election.” [§ 2685](#).

See [§§ 2683 - 2686](#) for details regarding local election recounts.

Primary & General Elections

If there is a recount, the Elections Division will provide detailed instructions and guidance for conducting the recount.

To petition for a recount, follow the procedures in [§ 2602](#).

- Recounts for primary and general elections are conducted by tabulator.
- County clerks should follow the detailed procedures for a recount in [§§ 2602a - 2602l](#).
- County clerks recruit town clerks to help operate the tabulators.
- Clerks, or their designee, must transport ballots to and from county courts for recounts. [§ 2602](#).

When to Recount

Election Type: Primary or General Election

Office: Statewide office, county office, or State Senator

Calculation: If the difference between the number of votes cast for a winning candidate and the number of votes cast for a losing candidate is less than 2% of the total votes cast for all the candidates for an office (total votes include write-in votes but exclude blanks and overvotes), divided by the number of persons to be elected, that losing candidate has the right to request a recount. [§ 2601\(a\)](#).

$$\text{Total Votes} \div \text{Seats} \times \% = \text{Max Difference}$$

For example: Consider a race for Sheriff. Aurora Alvarez receives 4,900 votes, Ben Bradbury receives 4,600 votes, and all other candidates collectively receive 500 votes. The number of total votes (excluding blanks and overvotes) is 10,000. Only one sheriff can be elected. The difference between a losing candidate and the winning candidate

(300) is not less than 2% (200). Therefore, Ben Bradbury and the other losing candidates do not have the right to request a recount.

$$10,000 \div 1 = 10,000$$

$$10,000 \times 0.02 = 200$$

$$4,900 - 4,600 = 300$$

Office: State Representative or Justice of the Peace

Calculation: If the difference between a winning candidate and a losing candidate is less than 5% of the total votes cast for all the candidates for that office (total votes include write-in votes but exclude blanks and overvotes), divided by the number of persons to be elected, the losing candidate has the right to request a recount. [§ 2601\(b\)](#).

$$\text{Total Votes} \div \text{Seats} \times \% = \text{Max Difference}$$

For example: Consider a 2-seat house district. Alison Ayers receives 2,200 votes, Badi Bakar receives 1,000 votes, Cat Clement receives 900 votes, Damien Delmonico receives 880 votes, and all other candidates collectively receive 20 votes. The number of total votes (excluding blanks and overvotes) is 5,000. 2 representatives can be elected. $5,000 / 2 \times .05 = 125$. The difference between a losing candidate and the last winning candidate (100) is less than 5% (125). Therefore, that losing candidate - Cat Clement - has the right to request a recount. Notably, the difference between Damien Delmonico and the last winning candidate (120) is also less than 5% (125). He too would have the right to request a recount.

$$5,000 \div 2 = 2,500$$

$$2,500 \times 0.05 = 125$$

$$1,000 - 880 = 120$$

Contests of Elections

Any registered voter entitled to vote for a candidate for an office may also contest an election. They must file a complaint with the Superior Court within 15 days after the election. See [§ 2603](#) for criteria and procedures.

Candidates for State Representative

An elected town officer in the representative district, or 25 voters of the district, may request that the House of Representatives exercise its constitutional authority to judge the elections and qualifications of its own members by filing a written request with the Secretary of State within statutory time frames. [§ 2605](#).

Candidates for State Senate

A candidate for State Senate, or 100 voters of the district, may similarly request the Vermont Senate to exercise its right to judge the elections and qualifications of its members, within the time frames and by the process set out in [§ 2606](#).

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Packing List for Delivery to Polling Places before the Polls Open

For Legislative District:

These items can be distributed the day before the election if the polling place will be locked overnight.

- Voting booths
- Ballot bags – Provide enough bags for each legislative district so that no more than 1,500 ballots are placed in one bag
- Seals for ballot bags
- Manila tags or contents lists to be attached to each sealed ballot bag
- Paper clips and stapler for processing mutilated ballots
- Black felt-tip pens for marking ballots
- Ball point pens and rulers for entrance checklist
- Manila envelope for defective ballots and manila envelope for Replaced ballots
- Accessible voting system equipment and a tabletop voting booth for privacy
- Elections Guide binder
- Duct tape
- Summary and tally sheets, printed copy of a blank Official Return of Votes
- Copies of appropriate Appendices for voters to fill out.

Election Day Morning – Deliver and secure these items:

- Vote tabulator in case with ballot test decks, Tabulator Guide, memory cards (should already be sealed in the tabulator after testing).
- Boxes of ballots for legislative district
- Entrance checklist for each legislative district and exit checklist if used
- List of absentee voters
- Voted absentee ballots for each legislative district—in secure containers with notation of whether voters have been checked off Entrance Checklist.

After the Polls Close: Where does it all belong?

Use this list to help you pack after you finish counting all ballots.

Deliver to Town/City Clerk in a folder or envelope provided by Clerk. There should be a set of these items for each Legislative District.

- First printed tally tape.
- Entrance Checklist for the Legislative District.**
- Written explanation of any discrepancies between the Entrance Checklist and total number of voted ballots.
- Completed Write-in Summary Sheet(s) (white) (All tallies of ballots counted by hand must be added to the summary sheet(s)).

Also return to Town/City Clerk:

- All unused/undistributed ballots.
- Opened (used) absentee ballot certificate envelopes. Store for 2 years, then destroy.
- Remainder of supplies (stapler, unused forms, pens, etc.).

Place in ballot bag and seal:

- Exit checklist (if any).
- All voted ballots for **one** Legislative District.
 - **Do not** put more than 1500 ballots in one ballot bag and **do not** mix ballots from different legislative districts.
- 2nd printed tally tape from the tabulator.
- All used tally sheets (totals have already been transferred to summary sheet(s)).
- Defective Ballots Envelope.
 - Contains defective ballots that cannot be counted because a) the voter did not sign the absentee certificate, b) the voter did not place the ballots in the certificate envelope, or c) the voter marked the ballot in way that discloses the voter's identity.
 - **You must include the total number of these ballots when reconciling the Entrance Checklist to the number of voted ballots.**
- Replaced Ballots Envelope.
 - Contains ballots returned by voters who received a new ballot and deposited that new ballot into the tabulator, and any unreadable ballots transferred to readable ballots by your election officials.
 - **Do not** include the total number of these ballots when reconciling Entrance Checklist to the number of voted ballots.
- Ballot bag tag – Attach a manila tag to each ballot bag. The tag must contain: Election Date, Legislative District, Destroy Date, and Bag ___ of ___.
- Place Contents List in outside pocket of each ballot bag. Sample on next page.

Sample Ballot Bag Contents List

Photocopy or print the sample below and place it in the **outside pocket** of ballot bag.

You must also attach a manila tag to your ballot bag. It should include the Election Date, Legislative District, Destroy Date, and Bag _____ of _____.

Ballot Bag Contents

District: _____
Bag _____ out of _____

- Exit** Checklist, if any _____.
 - All voted ballots for _____ (Legislative District).
 - **Do not** put more than 1,500 ballots in one ballot bag. Do not mix ballots from different legislative districts.
 - **Lay ballots flat in ballot bag.**
 - **Do not roll or rubber band the ballots.**
 - 2nd printed tally tape from the tabulator.
 - All used tally sheets (totals already transferred to summary sheets).
 - Defective Ballots Envelope.
 - Contains defective ballots that cannot be counted because a) the voter did not sign the absentee certificate, b) the voter did not place the ballots in the certificate envelope, or c) the voter marked the ballot in way that discloses the voter's identity.
 - **You must include the total number of these ballots when reconciling the Entrance Checklist to the number of voted ballots.**
 - Replaced Ballots Envelope.
 - Contains ballots returned by voters who received a new ballot and deposited that new ballot into the tabulator, and any unreadable ballots transferred to readable ballots by your election officials.
 - **Do not** include the total number of these ballots when reconciling Entrance Checklist to the number of voted ballots.
 - List any other items packed in the ballot bag.
-
-
-

Vermont Voter Affidavit Form for Undelivered or Lost Absentee Ballots

To the Board of Civil Authority of the town of: _____:

By checking the box below, I, _____,
swear or affirm that the statement is true:

- I never received an absentee ballot that was mailed to me for this election.
17 VSA §2532(f).
- I received the absentee ballot that was mailed to me but have lost or
misplaced it. 17 VSA §2548(b)(2).

Date: _____ Signature: _____

Instruction to Clerk: Retain this document for 2 years. See *Elections Records Retention Info Sheet for Municipal Clerks*.

Vermont Voter Affidavit Form for Undelivered or Lost Absentee Ballots

To the Board of Civil Authority of the town of: _____:

By checking the box below, I, _____,
swear or affirm that the statement is true:

- I never received an absentee ballot that was mailed to me for this election.
17 VSA §2532(f).
- I received the absentee ballot that was mailed to me but have lost or
misplaced it. 17 VSA §2548(b)(2).

Date: _____ Signature: _____

Instruction to Clerk: Retain this document for 2 years. See *Elections Records Retention Info Sheet for Municipal Clerks*.

Affirmation of Residence/Domicile

[17 V.S.A. §2150 \(d\)\(3\)\(A\)](#)

Inactive/Challenged voters who have not responded to a challenge letter must complete this affidavit before they are permitted to vote.

For Civilian Voters

I, _____, do hereby swear/affirm that my principal dwelling place (the location where I actually live/rest my head) is located at: _____
(E911 or physical description of the location)

in the town of _____. I swear or affirm this pursuant to 17 V.S.A. §2122(b) and under pains and penalties of perjury pursuant to 13 V.S.A. § 2901.

For Military/Overseas Voters

I, _____, do hereby swear/affirm that my principal dwelling place (the location where I actually lived/rested my head) *immediately prior* to joining the service or moving overseas was located at _____
(E911 or physical description of the location)

in the town of _____ in the state of _____. I swear or affirm this pursuant to 17 V.S.A. §2122(b) and under pains and penalties of perjury pursuant to 13 V.S.A. § 2901.

My current mailing address is: _____

Subscribed and sworn to this ____ day of _____, 20_____.

Signature of Voter: _____

Relevant Statutes

[13 V.S.A. §2901 – Punishment for perjury](#): “A person who, being lawfully required to depose the truth in a proceeding in a court of justice, commits perjury shall be imprisoned not more than fifteen years and fined not more than \$10,000.00, or both.

[17 V.S.A. §2122\(b\) – Residence; special cases; checklist](#): “A person may have his or her name on the checklist only in the town of which the person is a resident. For the purpose of this chapter, “resident” shall mean a person who is domiciled in the town as evidenced by an intent to maintain a principal dwelling place in the town indefinitely and to return there if temporarily absent, coupled with an act or acts consistent with that intent. If a person removes to another town with the intention of remaining there indefinitely, that person shall be considered to have lost residence in the town in which the person originally resided even though the person intends to return at some future time. However, a person shall retain the ability to vote in a town of former residence for a period of 17 days after becoming a resident of a new town. A person may have only one residence at a given time.

Vermont Voter Bill of Rights

You have the right to vote if you are a U.S. citizen, live in Vermont, are 18 years old and have registered to vote in the town where you reside.

You have the right to vote if you are homeless.

You have the right to vote if you have been convicted of a felony, even while you are incarcerated.

You have the right to vote even if you have a guardian and even if you need help reading or filling out your ballot.

You have the right to vote or cast your ballot if you are in line by 7:00 p.m. on Election Day.

You have the right to know if you are registered to vote.

You have the right to ask for help from elections officials or from a friend or family member. There are some people who cannot help you vote, for example, your boss or a union officer from your job.

You have the right to a secret vote. You do not have to tell anyone how you voted.

You have the right to get a new ballot if you make a mistake.

You have the right to vote for the person you want. You can write-in someone else's name if you don't like the choices on your ballot.

You have the right to leave some choices blank on your ballot. The choices you do mark will still count.

You have the right to use a voting system for all federal elections that makes it possible for people with disabilities to vote privately and independently.

You have the right to get a "provisional ballot" if you are told you are not registered to vote and you cannot swear or affirm that you submitted an application to register to vote in Vermont before the deadline.

You have the right to know if your ballot, including a "provisional ballot," was accepted for counting.

You have the right to file a complaint if you think your voting rights have been denied.

Call toll-free within Vermont at 1-800-439-8683 to get more information.

Counting Rules for All Towns – Voter Intent

The statutory rules for counting ballots are in 17 V.S.A. §2587. The Secretary of State has adopted a rule for **"What Constitutes a Vote"** in Appendix M. Ballots will be printed in the style used for tabulators (ovals to be filled in instead of checkmarks in boxes--but checkmarks will still be counted).

If the BCA by majority vote determines that a mark was made on a ballot to allow the ballot to be identified and the vote traced, defeating the secrecy of the ballot, the entire ballot must be marked defective and placed in the defective ballot envelope and none of the votes on the ballot should be counted. If the voter marks more names than there are persons to be elected to an office, overvotes equal to the number of candidates to be elected for that office (the "Vote For" number) should be entered on the tally sheet for that ballot. If a candidate receives more than one vote for the same office, i.e., the voter fills in the oval next to the candidate's name and then writes in the same candidate, the candidate shall receive only one vote.

Vermont law allows the voter to affix a sticker or label bearing a candidate's name to the ballot for write-in candidates. **The act of writing in a name or attaching a sticker or label bearing a candidate's name must be counted as a vote for that candidate, even if there is no "x" in the accompanying box or the oval is not filled in.** 17 V.S.A. §2587(e).

The following illustrations help explain the rules for determining a **voter's intent**.

1. The voter added a note to the ballot that allows election officials to know who marked the ballot.

*Mark the ballot **Defective**, place it in the Defective ballot envelope, and do not count any votes from the ballot.*

Vote for not more than ONE:		
Mortain Main	Hi Mom! How's it going?	<input type="radio"/>
Dee Fault	Ben	<input type="radio"/>

2. Here, the voter made no marks at all.
 Count this as **blank (undervote)**.

Vote for not more than ONE:

Mortain Main

Dee Fault

3. The voter only voted for one candidate in a "Vote for not more than two" contest.
 Count one vote for the candidate and add one mark to the **blank (undervote)** column.

Vote for not more than TWO:

Mortain Main

Dee Fault

4. The voter circled the name without marking an X or filling in an oval.
 Is the voter's intent clear? If the pair is in doubt, put it to a vote of the election officials present.

Vote for not more than TWO:

Mortain Main

Dee Fault

5. The voter's X is in between two candidate names, so intent is not clear.
 Count this as **blank (undervote)**.

Vote for not more than ONE:

Mortain Main X

Dee Fault

6. The voter changed their mind.
 If the pair agrees, count this for Main.

Vote for not more than ONE: Please count ↓

Mortain Main

Dee Fault

7. The voter wrote the name but did not fill in the oval or make a checkmark.

Vermont law requires this to be counted as a vote for Whist.

Vote for not more than ONE:

Mortain Main

Pam Whist Write-in

8. A write-in for a fictional person or a dead person is not counted.

*Count this as a **blank (undervote)**.*

Vote for not more than ONE:

Mortain Main

Mickey Mouse Write-in

9. The voter filled in the write-in oval, but no name was written.

*Count this as **blank (undervote)**.*

Vote for not more than ONE:

Mortain Main

_____ Write-in

10. The voter made 2 marks and may have tried to erase one of the marks or may have just smudged a mark.

If the pair is uncertain, all of the election officials present decide.

Vote for not more than ONE:

Mortain Main

Dee Fault

11. The voter marked 2 names for a "Vote for not more than one" race.

Enter one undervote on the tally sheet for this race.

Vote for not more than ONE:

Mortain Main

Dee Fault

04-010-004 Vt. Code R. § 1**Vermont Elections – Administrative Complaint Procedures**

I. Authority: In accordance with the provisions of 42 USC § 15512(a) and 17 VSA § 2458 this rule provides for a uniform, nondiscriminatory procedure for the resolution of a complaint alleging a violation of provisions of Title 17 of the Vermont Statutes or Title III of the Help America Vote Act of 2002 (HAVA). It is not intended to over-ride any specific provisions of Title 17 that provide for dispute resolution for specific aspects of Vermont elections (e.g. complaint in superior court for recounts).

II. Definitions:

A. "Complaint" means an allegation in writing that there is a violation of provisions of Title 17 of the Vermont Statutes or Title III of the HAVA that has occurred, is occurring or is about to occur in an election.

B. "Complainant" means any person filing a complaint in accordance with the provisions of paragraph III, below.

C. "Election" means a primary or general election in which a federal office appears on the ballot.

D. "Respondent" means any state or local elections official whose actions are alleged to be in violation of Title 17 or Title III.

E. "Secretary" means the Vermont Secretary of State or his or her designee.

F. "Title 17" means 17 V.S.A. sections 2451 - 2602 .

G. "Title III" means Title III of the Help America Vote Act of 2002; 42 United States Code §§ 15281 - 15485 .

III. Complaints: Any person who believes that a violation of provisions of Title 17 or Title III by any state or local election official has occurred, is occurring or is about to occur may file a complaint with the Secretary.

A. Complaints must be in writing, sworn under oath under penalty of perjury, signed by the complainant and notarized

B. Complaints must include the full name, telephone number and mailing address of the complainant.

C. Complaints must include a description of the alleged violation sufficient to make the Secretary and respondent aware of the nature and specifics of the complaint.

D. If a hearing on the record is requested, the complaint must so state.

E. The notarized complaint must be filed with the Secretary at 26 Terrace Street, Drawer 9, Montpelier, VT 05609-1101.

F. The complainant must also send a copy of the complaint to each respondent by first class U.S. mail.

IV. Procedures: The Secretary may process complaints in any of the following ways:

A. Dismiss the complaint and issue a final determination if the complaint does not comply with the requirements of paragraph III, above; or if the complaint does not, on its face, allege a violation of Title 17 or Title III with regard to an election.

B. Dismiss the complaint and issue a final determination if the complaint is not filed within sixty (60) days of the final certification of the federal election at which the alleged violation took place.

C. Resolve the complaint informally, and issue a final determination without a formal proceeding unless the complaint requests a hearing on the record.

D. Designate a hearing officer and schedule a date, time and place for a hearing on the record.

E. Consolidate multiple complaints into a single proceeding if the complaints relate to the same actions or events giving rise to the complaints, or the complaints raise common questions of law or fact.

V. Hearing Procedures: If requested in the complaint, and if no other summary action has occurred, the Secretary shall schedule a hearing as follows:

A. Written notice of the hearing shall be given to all parties setting out the date, time and place of the hearing. Notice shall be sent to the mailing addresses set out in the complaint. Notice must be sent by first class US mail at least seven (7) days prior to the date of the hearing.

B. The hearing shall be recorded. The audio recording shall constitute the official record of the hearing.

C. An extension of time for a hearing may be granted for good cause.

D. At the hearing all parties shall have the opportunity to be heard and to present evidence relevant to the determination of the complaint. Witnesses shall be sworn.

E. Any party may be represented by legal counsel.

F. If a complainant fails to appear at the hearing then the complaint shall be dismissed with prejudice.

VI. Determination:

A. A written determination on the complaint shall be made within ninety (90) days of the filing of the complaint.

B. A written determination shall be issued within ten (10) days of the conclusion of any hearing.

C. The determination shall be final. The determination may be appealed to the superior court in the county where an appellant resides.

VII. Alternative Dispute Resolution: If, for any reason, the Secretary does not make a final determination within ninety (90) days after the complaint was filed, or within any extension of time to which the complainant consents, the complaint shall be resolved under this section:

A. The Secretary shall immediately designate a three-member arbitration panel which shall consider the complaint and any record previously created and reach a final determination by majority vote of the panel. If no record has been created, or the record is incomplete, the panel may receive evidence in accordance with the provisions contained in paragraph V, above.

B. The panel shall issue a written, final determination within thirty (30) days of its designation.

C. The final determination of the panel may be appealed to the superior court in the county in which an appellant resides. 17 V.S.A. § 2458

04-010-003 Vt. Code R. § 1**Rule on What Constitutes a Vote**

I. Authority: In accordance with the provisions of 42 USC section 15481 and 17 V.S.A. section 2587 this rule provides for uniform, nondiscriminatory standards for establishing what constitutes a vote and what shall be counted as a vote for all categories of voting systems and voting procedures used in Vermont.

I. Definitions:

A. Board of Civil Authority: The Town Clerk, members of the select board, and Justices of the Peace in each municipality.

B. Election Official: A member of the Board of Civil Authority, an assistant Town Clerk, or any election official appointed by the Board of Civil Authority to assist in an election.

C. Machine Ballot: A machine ballot is an official ballot printed by the Vermont Secretary of State to be used in a municipality that counts ballots by using optic scan tabulator machines.

D. Paper Ballot: A paper ballot is an official ballot printed by the Vermont Secretary of State to be used in a municipality that counts ballots by hand count.

E. Presiding Officer: The Town Clerk, unless the town has voted otherwise, or the person appointed as presiding officer by the board of civil authority for an election

II. What Constitutes a Vote for a name printed on the ballot:

A. On a paper or machine ballot, where the voter is instructed to "vote for one," a vote shall be cast for the candidate where the voter has marked the box or oval opposite each candidate's name, or in races where the voter is instructed to "Vote for not more than" a number of candidates, a vote shall be cast for each candidate where the voter has marked the box or oval opposite each candidate's name so long as the voter has not marked more candidates than the number of "Vote for not more than" in that race.

B. On a paper ballot, the two election officials who are tallying the ballot shall follow the rules set out in Section IV below for determining the voter's intent in marking the ballot.

C. On a paper ballot, if a voter has marked in the box or oval opposite more candidate(s) than there are candidates to be voted in that race, the ballot shall be counted as spoiled for that race. This is an overvote. The secretary of state shall provide notices and public information to educate voters to try to eliminate overvoting in any race.

D. On a machine ballot, if a voter has marked in the oval opposite more candidate(s) than there are candidates to be voted in that race, the optic scan tabulator machine shall be set to reject the ballot, and an election official shall instruct the voter that he or she has overvoted in a race, and shall offer the voter the opportunity to void that ballot, and to take another ballot into the voting booth in order to properly mark the number of candidates to be voted for in each race.

III. What Constitutes a Vote for a write-in candidate:

A. On a paper or machine ballot, the act of writing in the name of a candidate, or pasting a label or sticker containing a candidate's name on the write-in line for a race on the ballot, shall constitute a vote for that candidate even if the box or oval opposite the write-in line has not been marked.

B. In a machine ballot town, the presiding officer shall direct not less than two election officials to fan the ballots from the large ballot bin to look for ballots where a write-in candidate's name has been written in or a label or sticker affixed, but where no mark was made in the oval. The ballots found with a write-in name but no mark in the oval shall be combined with the write-in ballots in the "write-in bin" of the machine. All ballots containing write-in's shall be counted by teams of two election officials using the same rules as paper ballots and the tally for each write-in candidate shall be added to the summary sheet and to the official return of votes.

C. On each tally sheet, the counters shall add together the names of candidates that are clearly the same person, even though a nickname or last name only is used.

D. Names of fictitious persons shall not be counted or listed as write-in candidates.

IV. Determination of Intent of the Voter on a paper ballot:

A. In counting votes, where a box or oval is not clearly marked for a candidate as determined by the two counting election officials, the following guidance shall assist the election officials in determining the intent of the voter as expressed by the markings on the ballot:

1. The two election officials agree that the voter's act of circling a candidate or making any mark that shows clear intent to vote for a particular candidate shall be counted as a vote for that candidate, even if the mark is made outside of the box or oval (such as voter circling a name).
2. If the two election officials determine that no marks have been made indicating the intent of the voter in a race, the ballot shall be counted as blank for that race.
3. If the two election officials agree that either the voter has marked more candidates than the "Vote for" in the race (overvote), or the election officials agree that it is impossible to determine the intent of the voter from marks that were made, then the ballot shall be counted as spoiled for that race. An overvote only spoils the ballot for the race in which it occurred and the remainder of the races are counted.
4. If the two election officials agree that a voter has cast a vote for less candidates than the "Vote for" in the race (undervote), the vote or votes properly cast shall be counted and a blank vote or votes shall be recorded for each undervote (number of "Vote for not more than" less the number of votes cast).
5. If the two election officials determine that a candidate has received more than one vote for the same office on any ballot, such as a box or oval being marked and the same candidate name is written on the write-in line, the candidate shall receive one vote only for that office and the write-in vote shall not be counted.
6. If the two officials determine that the write-in box or oval has been marked, but no name has been written in and no sticker or label affixed, it shall be counted as a spoiled ballot for that race.
7. If the two election officials cannot agree on the intent of the voter although some mark or marks have been made for the race, then they shall notify the

presiding officer who then presents the question of the intent of the voter for a decision by majority vote of all the assembled election officials.

8. If the two election officials determine that any mark was made on a ballot for the purpose of allowing the ballot to be identified and the vote traced, they shall notify the presiding officer, and if by majority vote of the board of civil authority members present it is determined that any mark was made on a ballot for the purpose of allowing the ballot to be identified and the vote traced, the entire ballot shall be marked spoiled. 17 V.S.A. § 2587

Affidavit of No Ballot Cast

I, _____, do hereby swear/affirm that I
(print name clearly)

have not returned the ballot that was issued to me, nor have I otherwise
cast a ballot in the _____
(date) (Election)

Subscribed and sworn to this _____ day of _____, 20_____.

Signature of Voter: _____

This affidavit must be given to voters who have been issued a ballot but who have not returned that ballot or otherwise cast a ballot in this election, and did not bring the ballot that was issued to them to the polling place before they are provided a ballot and permitted to vote.

[13 V.S.A. § 2901 – Punishment for perjury](#): “A person who, being lawfully required to depose the truth in a proceeding in a court of justice, commits perjury shall be imprisoned not more than fifteen years and fined not more than \$10,000.00, or both.”

[17 V.S.A. § 1971 – Casting more than one ballot](#) – “A legal voter who knowingly casts more than one ballot at any one time of balloting for the same office shall be fined not more than \$1,000.00 if the offense is committed at a primary or general election, and not more than \$100.00 if committed at a local election.”

Affidavit of No Ballot Cast

I, _____, do hereby swear/affirm that I
(print name clearly)

have not returned the ballot that was issued to me, nor have I otherwise
cast a ballot in the _____
(date) (Election)

Subscribed and sworn to this _____ day of _____, 20_____.

Signature of Voter: _____

This affidavit must be given to voters who have been issued a ballot but who have not returned that ballot or otherwise cast a ballot in this election, and did not bring the ballot that was issued to them to the polling place before they are provided a ballot and permitted to vote.

[13 V.S.A. § 2901 – Punishment for perjury](#): “A person who, being lawfully required to depose the truth in a proceeding in a court of justice, commits perjury shall be imprisoned not more than fifteen years and fined not more than \$10,000.00, or both.”

[17 V.S.A. § 1971 – Casting more than one ballot](#) – “A legal voter who knowingly casts more than one ballot at any one time of balloting for the same office shall be fined not more than \$1,000.00 if the offense is committed at a primary or general election, and not more than \$100.00 if committed at a local election.”

Procedures for Use of Tabulators for Early Voting in the Clerk's Office

- The BCA may vote to allow, during the early voting period, for voters who are voting in person at the clerk's office to deposit their ballots directly into the tabulator. If you BCA votes to allow this, the following procedures must be followed:

- The tabulator shall be removed from the vault by two election officials and located where it can be observed at all times by the clerk or another election official.
- The seal number on the memory card must be recorded each morning when the tabulator is removed from the vault and the election officials shall affirm that the seal number on the memory card is the same seal number as was recorded at the end of the previous day. The election official shall also confirm that the lock on the ballot bin has not been tampered with.

A chain of custody form for recording the necessary information is included in your Tabulator Guide.

- The tabulator shall be plugged in, turned on, and the election officials shall record the number of ballots that the tabulator indicates have been processed and confirm that that number matches the number of ballots recorded when the tabulator was turned off on the previous day.
- When all ballots have been processed for the day, the election official shall record the number of ballots that the tabulator indicates have been counted, shall verify that the memory card is sealed in place, and shall record the seal number.
- The tabulator shall be turned off, unplugged, and returned to the vault for storage by two election officials.
- The election officials shall otherwise comply with all provisions of this title relating to the security of the vote tabulator.

Election Day

- On the day of the election, the sealed vote tabulator and/or sealed ballot boxes containing voted ballots shall be transferred to the polling place by two election officials.
- In towns that use a tabulator, voted ballots may be fed into the tabulator by two election officials during polling hours.
- In towns that count ballots by hand, ballot boxes containing voted ballots shall not be opened until the polls have closed on Election Day, when they will be counted along with any ballots cast by voters in person at the polling place.
- When the vote tabulator is turned on at the polling place, if voted ballots were fed into the tabulator preceding the day of the Election, the town clerk or presiding officer shall verify that the number of ballots that the vote tabulator displays as having been counted matches the number recorded the last time that the tabulator was used to process ballots at the clerk's office and that the seal number on the memory card is also the same as the last seal number recorded at the town clerk's office.
 - For any in-person voting occurring at the clerk's office, if your BCA has not voted to allow the voter to deposit their voted ballot directly into the tabulator or ballot box, the voter mark their ballot in private, place their voted ballot in a sealed certificate envelope, and return it to an election official at the clerk's office for processing along with other returned absentee ballots.

Notice of Defective Ballot and Opportunity to Cure

Dear _____,
(Voter Name)

Your ballot for the _____ election has been received by our office. However, your ballot has been deemed Defective for the reason(s) indicated below. Having been deemed defective, your ballot *will not be counted unless* you take the action described below to cure the defect.

Your ballot has been deemed defective because:

- A. ___ The certificate on the voted ballot envelope was not signed.
- B. ___ The voted ballot was not inside the voted ballot envelope.
- C. ___ The two unvoted Primary ballots were not returned.
- D. ___ As a first-time registrant in Vermont that registered by mail or online, we need further documentation before your ballot may be counted.
- E. ___ Our records indicate you have already returned a ballot for this election.

To address the defect and ensure your ballot is counted:

For reasons (A) – (C), please return this form to your clerk (in person, by mail, or by email) after signing the affirmation below. You may also correct these defects in person at the clerk’s office, or online through the Vermont Voter Portal at vote.vermont.gov. (After you sign in, click into the “Request/View Absentee Ballot” to view your list of absentee ballots. Click the red “Cure a Ballot” button beside the ballot that needs curing).

For reasons (D) or (E), please contact your town clerk to provide the necessary documentation (for reason D), or to discuss the indication that you have already returned a ballot in this election (reason E).

Please sign the following affirmation and return the completed form to your town clerk as soon as possible and no later than the close of the polls on election day. If you are returning the form by email, it must be received by the clerk by the close of business on the day before the election.

I, _____, hereby affirm that, despite the
(print name clearly)

error indicated above, the ballot returned by me for the election indicated above should be counted.

(Voter Signature)

(Date)



Vermont State Archives and Records Administration

Office of the Secretary of State

1078 US RTE 2, Middlesex • Montpelier, VT 05633-7701 • Tel: (802) 828-3700

Elections Related Records Retention Info Sheet for Municipal Clerks

Elections related records are governed by the following [record schedules](#) issued to municipal clerks by the Vermont State Archives and Records Administration:

- Local elections (Managing): SRS-1348.1103
- Primaries (Managing): SRS-1689.1103
- General elections (Managing): SRS-1690.1103
- Voters (Registering): SRS-1319.1109

The *Elections Management Records* and *Voter Registration* lists below complement formal records and information management (RIM) policies and procedures. They are intended as a quick reference of minimum retention requirements for both digital and paper records.

Elections Management Records List by Election Type

Records	Local	Primary	General
Absentee Ballot Requests/Applications	90 days	22 months	22 months
Absentee Voter List	90 days	22 months	22 months
Ballots (voted and signed envelopes)	90 days	22 months	22 months
Tally and Summary Sheets	90 days	22 months	22 months
Warning for Election	12 months	22 months	22 months

Elections Management Records List for All Elections

Records	Retention Period
Affidavits ¹	2 years
Ballot Box Recordings – Incident ²	Until incident is resolved
Ballot Box Recordings - Standby or Non incident ³	Until overwritten
Ballots (Unused/Unopened/ Unvoted)	End of election
Entrance/Exit Checklists and Discrepancies	5 years
Official return of votes (ORV)	Permanent
Petitions	30 days ⁴

*Elections Records Retention Info Sheet for Municipal Clerks (Cont.)***Voter Registration Records List**

Records	Retention Period
BCA voter registrations in meeting minutes	Permanent
BCA voter renewal decisions	2 years
Challenge letters and certified mail receipts	4 years
Challenge response post cards or letters	2 years
Registration Applications	4 years
Requests for removal from voter checklist	2 years
Statewide voter checklist	2 years after system is replaced
Working copies of voter checklist	End of election

¹ Includes: Affidavit of No Ballot Cast; Affidavit for Undelivered or Lost Absentee Ballots; Affidavit of Residence/ Domicile; and Notice of Defective Ballot and Opportunity to Cure.

² If video includes a recording of an incident with the ballot drop box, retain video as evidence of the incident until all subsequent investigatory and legal action are fully resolved.

³ Video that does not include a recording on an incident can be overwritten or destroyed.

⁴ With primaries, retain petitions for 30 days after the subsequent election, for which the primary determined the candidates.