1	H.66
2	Introduced by Representative Scheu of Middlebury
3	Referred to Committee on
4	Date:
5	Subject: Elections; nominations; write-in candidates; failure of a major
6	political party to nominate a candidate by primary
7	Statement of purpose of bill as introduced: This bill proposes to require that a
8	write-in candidate must receive at least the same number of votes as the
9	number of signatures required for the office in order to qualify as the winner in
10	a primary election unless that write-in candidate receives more votes than any
11	other candidate whose name is printed on the ballot. This bill also prohibits a
12	major political party from nominating a candidate for a general election party
13	if that party failed to nominate a candidate during the primary election.
14 15	An act relating to the number of votes required for a write-in candidate to win a primary election
16	It is hereby enacted by the General Assembly of the State of Vermont:
17	* * * Write-In Candidates Thresholds for Primary Elections * * *
18	Sec. 1. 17 V.S.A. § 2370 is amended to read:
19	§ 2370. WRITE-IN CANDIDATES

20

1	(a) A write-in candidate shall not qualify as a primary winner unless he or
2	she the candidate receives at least one-half the same number of votes as the
3	number of signatures required for his or her the candidate's office on a primary
4	petition, except that if a write-in candidate receives more votes than a any
5	other candidate whose name is printed on the ballot, he or she the write-in
6	candidate may qualify as a primary winner.
7	(b) The write-in candidate who qualifies as a primary winner under this
8	section must still be determined a winner under section 2369 of this chapter
9	before he or she the candidate becomes the party's candidate in the general
10	election.
11	* * * Failure of a Major Political Party to Nominate a Candidate by Primary
12	* * *
13	Sec. 2. 17 V.S.A. § 2381 is amended to read:
14	§ 2381. APPLICABILITY OF SUBCHAPTER
15	(a) A candidate may also be nominated and have the candidate's name
16	printed on the general election ballot in accordance with the provisions set
17	forth in this subchapter, in the following instances:
18	(1) In in case of a vacancy on the general election ballot occasioned by
19	death, removal, or withdrawal of a candidate, or but not for the failure of a

major political party to nominate a candidate by primary;

1	(2) In in case a minor political party desires to nominate a candidate for
2	any office for which major political parties nominate candidates by primary or
3	for the offices of President and Vice President of the United States; and
4	(3) In in case of nomination for the office of justice of the peace, in the
5	event that such nomination has not already been made by caucus as provided in
6	section 2413 of this chapter.
7	* * *
8	Sec. 3. 17 V.S.A. § 2386 is amended to read:
9	§ 2386. TIME FOR FILING STATEMENTS
10	(a) In the case of the failure of a major political party to nominate a
11	candidate by primary, a statement shall be filed not later than 5:00 p.m. on the
12	sixth day following the primary. [Repealed.]
13	* * *
14	* * * Effective Date * * *
15	Sec. 4. EFFECTIVE DATE
16	This act shall take effect on passage.