

1 H.334

2 Introduced by Representative Lippert of Hinesburg

3 Referred to Committee on

4 Date:

5 Subject: Elections; qualification of voters; residence; e-mailing ballots

6 Statement of purpose: This bill proposes to allow a person residing
7 temporarily out of state to receive an absentee ballot by e-mail on request.

8 An act relating to e-mailing ballots to voters residing temporarily out of
9 state

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

11 Sec. 1. 17 V.S.A. § 2122(a) is amended to read:

12 (a) A person shall not gain or lose a residence solely by reason of presence
13 or absence while in the service of the state or of the United States; nor while
14 engaged in the navigation of the waters of the state or of the United States or
15 on the high seas; nor while in a hospital, nursing home, or other health care
16 facility; nor while confined in a prison or correctional institution; nor while a
17 member of a veterans' home; nor while a student at any educational institution;
18 nor while living outside the United States; nor while certified as a participant
19 in the address confidentiality program under chapter 21, subchapter 3 of
20 Title 15; nor while residing temporarily out of state.

1 also may make a simultaneous request for an application for addition to the
2 checklist and for an early voter absentee ballot.

3 (c) If the request is received by the town clerk prior to the voter registration
4 deadline set forth in subsection 2144(a) of this title, the town clerk shall mail
5 or, upon the request of the voter or authorized person, e-mail a blank
6 application for addition to the checklist, together with a full set of early voter
7 absentee ballots, to the person who has applied for early voter absentee ballots.
8 All such applications for addition to the checklist which are returned to the
9 town clerk before the close of the polls on election day shall be considered and
10 acted upon by the board of civil authority before the ballots are counted. The
11 voter or authorized person may return the application to the town clerk by
12 e-mail. If the application is approved and the name added to the checklist, the
13 early voter absentee ballots cast by that voter shall be treated as other valid
14 early voter absentee ballots.

15 * * *

16 (f) The town clerk may, upon application, issue a duplicate early voter
17 absentee ballot if the original ballot is not received by the voter within a
18 reasonable period of time after mailing. The application may be made by a
19 person entitled to apply for an early voter absentee ballot under subsection (a)
20 of this section ~~and~~, shall be accompanied by a sworn statement affirming that
21 the voter has not received the original ballot, and may be sent to the town clerk

1 by e-mail. The duplicate early voter absentee ballot may be sent to the voter
2 by e-mail, at the request of the voter or authorized person. If a duplicate early
3 voter absentee ballot is issued and both the duplicate and original early voter
4 absentee ballots are received before the close of the polls on election day, the
5 ballot with the earlier postmark shall be counted.

6 Sec. 3. EFFECTIVE DATE

7 This act shall take effect on passage.