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**April 24, 2020**

### **Permitted Processes for Local Elections Conducted in 2020**

Pursuant to the authority granted in Act 92, §3 (2020), and in agreement with the Governor:

*The Secretary of State hereby permits, in the year 2020, the legislative body of any municipality that has an upcoming local election to adopt one or more of the following procedures for use in conducting that election:*

1. *A municipality may proactively mail a ballot for a local election to every registered voter or to every "active" voter.*
  - a. *The ballot shall be mailed no less than 15 days before the election.*
  - b. *Every article to be voted at the election shall be included on the ballot (Municipalities with floor meetings may convert those meetings to Australian ballot pursuant to Section 4 of Act 92).*
  - c. *A postage paid return envelope and instructions on how to vote and return the ballot must be included with each ballot sent to a voter.*
  - d. *A ballot shall be sent forthwith to any person who registers to vote after the initial mailing of ballots has occurred.*
  - e. *Ballots must be returned by the close of the polls on election day and all other absentee ballot procedures contained in Title 17 shall be followed.*
  
2. *A municipality may implement a drive-up voting procedure where voters complete the voting process without leaving their vehicle. Each voter shall:*
  - a. *Be checked off the entrance checklist by an election official in the same manner as the voter would be in a standard polling place;*
  - b. *Be provided a ballot to vote and directed to an identified location where their vehicle may be parked during the voting process;*
  - c. *Be able to deposit their ballot directly into a secure ballot box that may be brought to the window of the vehicle or located in such a manner that it can be accessed from the vehicle, and again be checked off an exit checklist before leaving the voting location.*

*A person may fill out a voter registration form and submit it to an election official for processing before receiving a ballot. An area shall be provided for those filling out registration forms to leave the line of traffic and complete the form before being checked off the checklist and provided a ballot.*

*Municipalities should consult with the Secretary of State's office in developing these procedures.*

3. *A municipality may hold their polling location outside and otherwise follow standard polling place rules.*
4. *If a municipality uses a tabulator, ballots do not have to be reviewed by hand, under the following circumstances:*
  - a. *There is no election of officers on the ballot and, as such, no write-in spaces; or*
  - b. *There is an election of officers but the total write-in vote counted by the tabulator is not higher than the total for the winning candidate(s) that was named on the ballot.*
5. *A municipality may waive the deadline to file nominating paperwork for local offices contained in 17 V.S.A. §2681 and allow those consent forms to be filed until a date determined by the municipality that will facilitate the ballots being prepared no later than 20 days before the election as required by 17 V.S.A. § 2681a.*
6. *Any polling place for a local election, whether employing the processes allowed by this directive or not, shall be conducted in a manner consistent with current guidance regarding social distancing, group size/building capacity orders, or other measures issued by the Department of Health or Centers for Disease Control and Prevention, or contained in any current Executive Orders of the Governor.*

*A municipality that intends to use any of the procedures permitted by this directive is strongly encouraged to consult with the Elections Division of the Secretary of State's office for assistance in implementing these processes.*

*With the exception of the allowance of the permitted procedures above, the elections shall be carried out in all other respects in accordance with the applicable provisions of Title 17 of the Vermont Statutes.*



James C. Condos  
Vermont Secretary of State