

# Election Statute Navigator: Vermont

The Election Law Program prepared this Election Law Navigator to highlight state election statutes particularly relevant to the 2020 cycle. The Election Law Navigator is updated as of March 1, 2021. Please contact [elect@wm.edu](mailto:elect@wm.edu) with questions or suggestions. To access COVID-specific legal information impacting this state's election process, please use this link:

<https://ebenchmark.org/vermont/covid/#tracker>.

## Voter Registration

- Voter permitted to register up to and including Election Day (aka Same Day Registration) – [§ 2144](#)
- Voters (other than above) register prior to Election Day – [§ 2144](#)
  - Deadlines: permitted through election day
- Online registration available No legislation
  - [See official Vermont online registration website](#)
- Registration via mail available – [§ 2144a](#)
- In-Person registration available – [§ 2144a](#)
  - Locations: voter registration agency - all State offices that provide public assistance, all State offices that provide State-funded programs primarily engaged in providing services to persons with disabilities, any federal and nongovernmental offices that have agreed to be designated by the Secretary as a voter registration agency, and any State or local agency designated by the Secretary as a voter registration agency
- Automatic Voter Registration – [§ 2145a](#)
  - Participating Agencies: Department of Motor Vehicles
- Preregistration allowed – [§ 2121](#)
  - 18 by the election
- Residency requirement – [§ 2121](#)
  - Resident of the State of Vermont
- Voter list maintenance guidelines – [§ 2150](#)

## State Absentee, Early, and Mail Voting

- Early voting allowed – [§ 2531](#)
  - 45 days before election until 5:00 pm the day before election
- No-excuse absentee voting – [§ 2531](#)
- Online absentee ballot application available – [§ 2531](#)
- Absentee ballot application is verified – [§ 2533](#)
- Absentee ballot verification details – [§ 2542](#)
  - Absentee voters must sign the certificate on the outside of the envelope for the ballot to be valid. Election officials determine that the certificate has been properly completed

and signed before counting the ballot. If the certificate is not signed it is marked as “defective” and not counted.

- Deadline by which election official must receive absentee/mailed ballots – [§ 2543](#)
  - Close of polls on election day
- Absentee/Mail ballot processing and counting procedures – [§ 2546a](#)

## In-Person Voter ID

- No document required to vote – [§ 2563](#)
  - If not a first-time voter
- Photo ID not required – [§ 2563](#)
  - If first-time voter

## Provisional Voting

- Provisional ballot availability – [§ 2556](#)
  - If an individual’s name does not appear on the checklist and the individual claims to have submitted an application for the checklist and refuses to complete a new application
  - If the individual’s registration application has been rejected and the individual disputes that rejection
- Time allotted to determine the status of provisional ballot – [§ 2557](#)
  - Two days after close of polls
- Provisional ballot rejection reasons – [§ 2555](#)
  - Not meeting all eligibility requirements
- Method for informing voters whether provisional vote was counted – [§ 2557](#)

## Polling Place

- Polling Place availability and requirements – [§ 2502](#)
- Electioneering or campaigning must not occur within the building containing the polling place – [§ 2508](#)
- Rules governing poll observers – [§ 2564](#); [§ 2572](#); [§ 2581](#)
- Poll watcher qualifications – [§ 2564](#)
  - Candidates, political parties, and ballot initiative committees can’t have more than two representatives outside the guardrail.

## State Emergency Rules and How Elections are Affected

- Explicit remedies in election statute – [§ 2502\(c\)\(2\)](#)

## Counting Rules

- Counting procedures – [§ 2587](#)

## Contest/Protest, Recount Rules

- Challenging a voter – [§ 2564](#)
- Contest/Protest recount – [§ 2601](#)
  - Triggers: the difference between the number of votes cast for the candidate and the winning candidate is 2% (5% for State Representative) or less of the total votes cast for all the candidates for the office, divided by the number of persons to be elected