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# Vermont

## *Voter Registration & Voter List Maintenance Guide*

*Provided by*

VOTER  
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# State Guide to Voter Registration & Voter List Maintenance Statutes

This is a guide to your state's laws relating to voter registration and voter list maintenance.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

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# Who can I contact with election related questions?

## [Link to Elections Official](#)

<b>Chief Elections Office:</b>	Secretary of State <u><a href="#">Elections Division</a></u>
<b>Physical Address:</b>	Elections Division 128 State Street Montpelier, VT 05633
<b>Mailing Address:</b>	Elections Division 128 State Street Montpelier, VT 05633-1101
<b>Phone Number:</b>	802-828-2363
<b>Fax Number:</b>	802-828-5171
<b>Online Contact:</b>	<u><a href="https://sos.vermont.gov/elections/about/contact/">https://sos.vermont.gov/elections/about/contact/</a></u>
<b>Town Clerks:</b>	<u><a href="https://sos.vermont.gov/elections/town-clerks/">https://sos.vermont.gov/elections/town-clerks/</a></u>

# How do I register to vote?

[Link to Register](#)  
[Link to Statutes](#)

## [17 V.S.A. § 2121 : Qualifications of Voters](#)

(a) Any person may register to vote in the town of his or her residence in any election held in a political subdivision of this State in which he or she resides who, on election day:

- (1) is a citizen of the United States;
- (2) is a resident of the State of Vermont;
- (3) has taken the voter's oath; and
- (4) is 18 years of age or more.

(b) Any person meeting the requirements of subdivisions (a)(1)-(3) of this section who will be 18 years of age on or before the date of a general election may register and vote in the primary election immediately preceding that general election.

# How do I cancel my voter registration?

[Link to Statutes](#)  
[Town Clerks](#)

## [17 V.S.A. § 2150 : Removing names from checklist](#)

(3) A town clerk shall also strike from the checklist the name of any voter who files a written request that his or her name be stricken.

# How is voter list maintenance handled?

## 17 V.S.A. § 2141 : Posting of checklist

- (a) At least 30 days before any local, primary, or general election, the town clerk shall cause copies of the most recent checklist of the persons registered to vote to be posted in two or more public places in the municipality in addition to being posted at the town clerk's office; however, in a municipality having a population of fewer than 5,000 registered voters, only one checklist in addition to the one posted in the town clerk's office need be posted.
- (b) Upon the checklist shall be stated against the name of each voter, if possible, the street and number of each voter's residence and otherwise the mailing address of each voter's residence. Additions or amendments to the checklist may be attached to the checklist by means of a separate list.
- (c) The town clerk shall make available a copy of the list, together with lists of corrections and additions when made:
- (1) to the chair of each political party in the municipality, upon request, free of charge;
  - (2) to officers with whom primary petitions are filed under section 2357 of this title, free of charge; and
  - (3) to any other person, upon request, at cost.

## 17 V.S.A. § 2142 : Revision of checklist

- (a) The town clerk shall call such meetings of the board of civil authority as may be necessary before an election or at other times for revision of the checklist.
- (b) Notice of a meeting, along with a copy of the most recent checklist and a separate list of names that have been challenged and may be removed, shall be posted in two or more public places within each voting district and in the town clerk's office.
- (c) A quorum of the board of civil authority shall be as provided in subdivision 2103(5) of this title, and written notice shall be provided to each member as established in 24 V.S.A. § 801.

## 17 V.S.A. § 2144b : Additions to checklist by town clerk

- (a)
- (1) A town clerk shall review all applications to the voter checklist and shall approve those applications that meet the requirements of this chapter. Once approved, application information shall be added to the statewide voter checklist within three business days of receipt by the town clerk's office.
  - (2) If an applicant has failed upon the date of the election to provide any information required upon the application form pursuant to section 2145 of this title, the town clerk shall notify the applicant that the form was incomplete and the applicant may provide the information on or before the date of the election.
  - (c) If the town clerk does not determine that an applicant meets the requirements of section 2121 of this title, the clerk shall immediately forward the application to the board of civil authority, which shall meet in a timely manner after the receipt of the application and proceed under section 2146 of this title to determine whether the applicant meets the requirements of section 2121. For purposes of adding applicants to the checklist, a quorum shall consist of three members of the board of civil authority.
  - (d) Periodically, or at least five days prior to each election, the town clerk shall forward to the board of civil authority a list of additions to the checklist.

### **17 V.S.A. § 2146 : Action of board of civil authority or town clerk in revising checklist**

(a) At a meeting to revise the checklist, the board of civil authority shall determine whether any person who has applied to be registered to vote meets the requirements of section 2121 of this title. On demand of a majority of the board present, applicants may be examined under oath concerning the facts stated in the application. The board may make such investigation as it deems proper to verify any statement made under oath by an applicant.

(b) As soon as possible, after receipt of an application, the board or, upon request of the board, the town clerk shall inform an applicant of its action as provided in subsection (d) of section 2145 of this chapter. If the board rejects an applicant, it shall also notify him or her forthwith, in person or by first-class mail directed to the address given in the application, of its reasons. The notice shall be in substantially the following form: [see statute for form of notice]

(c) If the notice required under subsection (b) of this section is returned undelivered, the board of civil authority shall proceed to remove the person's name from the checklist in the manner set forth in section 2150 of this title.

### **17 V.S.A. § 2147 : Alteration of checklist**

(a) Pursuant to section 2150 of this title, the board of civil authority or, upon request of the board, the town clerk shall add to the checklist the names of the voters added and the names omitted by mistake and shall strike the names of persons not entitled to vote. The list so corrected shall not be altered except by:

- (1) adding the names of persons as directed by any Superior judge on appeal;
- (2) adding the names of persons who are legal voters at the election but whose names are further discovered to be omitted from the completed checklist solely through inadvertence or error;
- (3) adding the names of persons who present a valid application for addition to the checklist of that town or a copy thereof, and who otherwise are qualified to be added to the checklist;
- (4) Repealed.]
- (5) subdividing the checklist as provided in section 2501 of this title, including the transfer of names of voters who have moved within a town in which they are already registered from one voting district within that town to another; or
- (6) adding the names of persons who previously submitted an incomplete application and who provide that information on or before election day.

(b) Any correction or transfer may be accomplished at any time until the closing of the polls on election day. Each voter has primary responsibility to ascertain that his or her name is properly added to and retained on the checklist.

### **17 V.S.A. § 2149 : Conclusiveness of list**

(a) A person shall not vote at an election unless his or her name is on the checklist applicable to the municipality, but the checklist may be amended and corrected for such election as provided in this title. The eligibility of a person to vote shall not be challenged on the day of election if the person's name is on the checklist, except as provided in section 2564 of this title.

(b) Notwithstanding the provisions of subsection (a) of this section:

- (1) If the voter registration records indicate that a voter has moved from an address in the area covered by the polling place, the voter shall be permitted to vote at that polling place if the voter makes an oral or written affirmation that he or she continues to reside in the area covered by that polling place. The affirmation authorized by this subdivision shall be made at the polling place before an election official.
- (2) If a voter who failed to return notice sent pursuant to section 2150 of this title has moved from an address in the area covered by one polling place to an address in an area covered by a different polling place within the same municipality, the voter shall upon oral or written confirmation, be permitted to correct the voting records and vote in the current election at the appropriate polling place. The affirmation authorized by this subdivision shall be made at the appropriate polling place before an election official.

## 17 V.S.A. § 2150 : Removing names from checklist

- (a)
- (1) When a voter from one political subdivision becomes a resident of another political subdivision and is placed on the checklist there, the town clerk shall notify the clerk of the political subdivision where the voter was formerly a resident by submitting the notification electronically within the statewide voter checklist system or by mailing to that clerk a copy of the voter registration application form or other official notice, and that clerk shall strike the voter's name from the checklist of that political subdivision.
  - (2) When a town clerk receives a copy of the death certificate of a voter, public notice of the death of a voter, or official notice from the Department of Motor Vehicles that a voter has authorized his or her address to be changed for voting purposes, the clerk shall strike the voter's name from the checklist.
  - (3) A town clerk shall also strike from the checklist the name of any voter who files a written request that his or her name be stricken.
- (b) The board of civil authority at any time may consider the eligibility of persons on the checklist whom the board believes may be deceased, may have moved from the municipality, or may be registered in another place and may remove names of persons no longer qualified to vote. However, the board shall not remove any name from the checklist except in accordance with the procedures in subsection (d) of this section, and any systematic program for removing names from the checklist shall be completed at least 90 days before an election.
- (c) In addition to any actions it takes under subsections (a) and (b) of this section, by September 15 of each odd-numbered year the board of civil authority shall review the most recent checklist name by name and consider, for each person whose name appears on the checklist, whether that person is still qualified to vote. In every case where the board of civil authority is unable to determine under subdivisions (d)(1) and (2) of this section that a person is still qualified to vote, the board of civil authority or, upon request of the board, the town clerk shall send a written notice to the person and take appropriate action as provided in subdivisions (d)(3) through (5) of this section. The intent is that when this process is completed there will have been some confirmation or indication of continued eligibility for each person whose name remains on the updated checklist.
- (d) Except as provided in subsection (a) of this section, a board of civil authority shall only remove a name from the checklist in accordance with the following procedure:
- (1) If the board of civil authority is satisfied that a voter whose eligibility is being considered is still qualified to vote in the municipality, the voter's name shall remain on the checklist, and no further action shall be taken.
  - (2) (A)(i) If the board of civil authority does not immediately know that the voter is still qualified to vote in the municipality, the board shall attempt to determine with certainty what the true status of the voter's eligibility is. (ii) The board of civil authority may consider and rely upon official and unofficial public records and documents, including telephone directories, city directories, newspapers, death certificates, obituaries (or other public notices of death), tax records, and any checklist or checklists showing persons who voted in any election within the last four years. (iii) The board of civil authority may also designate one or more persons to attempt to contact the voter personally. (B) Any voter whom the board of civil authority finds through such inquiry to be eligible to remain on the checklist shall be retained without further action being taken. (C) The name of any voter proven to be deceased shall be removed from the checklist.
  - (3) (A)(i) If after conducting its inquiry the board of civil authority or town clerk is unable to locate a voter whose name is on the checklist, or if the inquiry reveals facts indicating that the voter may no longer be eligible to vote in the municipality, the board of civil authority or, upon request of the board, the town clerk shall send a written notice to the voter. (ii) The notice shall be sent by first-class mail to the most recent known address of the voter, asking the voter to verify his or her current eligibility to vote in the municipality. (iii) The notice shall be sent with the required U.S. Postal Service language for requesting change of address information.
  - (4) (B) Enclosed with the notice shall be a postage-paid pre-addressed return form on which the voter may reply swearing or affirming the voter's current place of residence as the municipality in question or alternatively consenting to the removal of the voter's name.

## 17 V.S.A. § 2150 Cont.

- (2) (C) The notice required by this subsection shall also include the following:
- (3) (i) A statement informing the voter that if the voter has not changed his or her residence, or if the voter has changed his or her residence but the change was within the area covered by the checklist, the voter should return the form to the town clerk's office. The statement shall also inform the voter that if he or she fails to return the form as provided in this subdivision, written affirmation of the voter's address shall be required before the voter is permitted to vote.
- (4) (ii) Information concerning how the voter can register to vote in another state or another municipality within this State.
- (3) (B) Enclosed with the notice shall be a postage-paid pre-addressed return form on which the voter may reply swearing or affirming the voter's current place of residence as the municipality in question or alternatively consenting to the removal of the voter's name. (C) The notice required by this subsection shall also include the following: (i) A statement informing the voter that if the voter has not changed his or her residence, or if the voter has changed his or her residence but the change was within the area covered by the checklist, the voter should return the form to the town clerk's office. The statement shall also inform the voter that if he or she fails to return the form as provided in this subdivision, written affirmation of the voter's address shall be required before the voter is permitted to vote. (ii) Information concerning how the voter can register to vote in another state or another municipality within this State.
- (4) If the voter confirms in writing that the voter has changed his or her residence to a place outside the area covered by the checklist, the board of civil authority shall remove the voter's name from the checklist.
- (5) In the case of voters who failed to respond to the notice sent pursuant to subdivision (3) of this subsection, the board of civil authority shall remove the voter's name from the checklist on the day after the second general election following the date of such notice, if the voter has not voted or appeared to vote in an election since the notice was sent or has not otherwise demonstrated his or her eligibility to remain on the checklist.
- (6) (A) Notwithstanding the provisions of subdivision (5) of this subsection, if at any time subsequent to removal of a person's name from the checklist the board determines that the person was still qualified to vote and that the voter's name should not have been removed, the board shall add the person's name to the checklist as provided in section 2147 of this chapter. (B) The provisions of this chapter shall be liberally construed, so that if there is any reasonable doubt whether a person's name should have been removed from the checklist, the person shall have the right to have the person's name immediately returned to the checklist.
- (7) (A) The board of civil authority shall keep detailed records of its proceedings under this subchapter for at least two years. These records, except records relating to a person's decision not to register to vote or to the identity of the voter registration agency through which any particular voter registered, shall be public records and shall be available for inspection and copying at actual cost. The records shall include: (i) in the case of each name removed from the checklist, a clear statement of the reason or reasons for which the name was removed; (ii) in the case of the updating of the checklist required by subsection (c) of this section, the working copy or copies of the checklist used in the name by name review conducted to ascertain continued eligibility to vote; (iii) the total number of new registrations occurring during the period between general elections; (iv) the total number of persons removed from the checklist during the period between general elections; and (v) lists of the names and addresses of all persons to whom notices were sent under this subsection, and information concerning whether or not each person to whom a notice was sent responded to the notice as of the date that inspection of the records is made. (B)(i) A letter certifying compliance with this section shall be filed with the Secretary of State on or before September 20 of each odd-numbered year. (ii) Upon request of any Superior judge or upon request of the Secretary of State, the town clerk shall forward a certified copy of the records of checklist maintenance.



## [The National Voter Registration Act of 1993](#)

Congress enacted the National Voter Registration Act of 1993 (also known as the “NVRA” and the “Motor Voter Act”), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

# List of voter registration statuses and their definitions

Registration Statuses	
<b>“Voter”</b> means an individual who is qualified to vote in an election in this State or a political subdivision of this State, and whose name is registered on the checklist of a political subdivision of the State.	<a href="#">17 V.S.A. § 2103 (36)</a>
<b>Active</b> - A town clerk may divide the checklist into active and inactive sections. The active section shall include all the qualified voters of the town, except for those voters included in the inactive section, pursuant to this provision.	<a href="#">17 V.S.A. § 2152</a>
<b>Inactive</b> - The inactive section shall include only those voters who have failed to respond to the notice sent pursuant to subdivision 2150(d)(3) of this title. The active and inactive designations are for recordkeeping purposes only, and shall have no bearing on voting eligibility.	<a href="#">17 V.S.A. § 2152</a>
<b>Challenged</b> - names appearing on the checklist which are being reviewed for removal	<a href="#">17 V.S.A. § 2142</a>
<b>Canceled.</b> - a name that has been removed from the checklist	<a href="#">17 V.S.A. § 2150</a>

# How do I file a HAVA complaint?

## [Link to HAVA Complaint Process](#)

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.

# How do I file a non-HAVA election complaint?

## [Link to Statutes](#)

### [17 V.S.A. § 2458 : Complaint procedure](#)

(a) The Secretary of State shall adopt rules to establish a uniform and nondiscriminatory complaint procedure to be used by any person who believes that a violation of this title or any other provision of 52 U.S.C. chapter 209, subchapter III (Uniform and Nondiscriminatory Election Technology and Administration Requirements) has occurred, is occurring, or is about to occur in the course of any election in which a candidate for federal office appears on the ballot.

(See HAVA Complaint process for violations of 17 V.S.A. §§ 2451-2602)

### [17 V.S.A. § 2616 : Jurisdiction to prosecute criminal offenses](#)

The State's Attorney in any county in which all or a part of any violation of this title was committed shall have authority to prosecute such violations. The prosecution shall be conducted before the Vermont Criminal Division of the Superior Court.

# Who can I contact regarding an election related complaint?

## Secretary of State's Office - Elections Division

<b>Physical Address:</b>	Elections Division 128 State Street Montpelier, VT 05633-1101
<b>Mailing Address:</b>	Elections Division 128 State Street Montpelier, VT 05633-1101
<b>Phone Number:</b>	802-828-2363
<b>Fax Number:</b>	802-439-8683
<b>Email Webform:</b>	<a href="https://sos.vermont.gov/elections/about/contact/">https://sos.vermont.gov/elections/about/contact/</a>

## Office of the Vermont Attorney General

<b>Address:</b>	109 State St Montpelier, VT 05609
<b>Phone Number:</b>	802-828-3171
<b>E-mail:</b>	<a href="mailto:ago.info@vermont.gov">ago.info@vermont.gov</a>
<b>E-mail Webform:</b>	<a href="https://ago.vermont.gov/contact-form">https://ago.vermont.gov/contact-form</a>
<b>State's Attorneys Offices</b>	<a href="https://prosecutors.vermont.gov/offices">https://prosecutors.vermont.gov/offices</a>