

BILL OVERVIEW
“An act relating to creating the Vermont Voting Rights Act”
As Amended Passed by the Senate

PART ONE. Vermont Voting Rights Act

Sec. 1 is a short title naming the bill upon passage the “Vermont Voting Rights Act of 2026.”

Sec. 2 creates a new 17 V.S.A. chapter 59 in the “election title” to codify new prohibitions on vote denial and vote dilution and to empower the Attorney General’s Office with enforcing and violations through civil actions.

- A new § 2801 will define two terms, “municipality” and “protected class.”
- A new § 2802 will prohibit vote denial and vote dilution, stating “[n]o voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by the State or any municipality in a manner that results in a denial or abridgement of the right of any citizen of the United States to vote based on race or color or membership in a language minority group.” A violation is “established if, on the basis of the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or a municipality are not equally open to participation by members of a protected class in that its members have less opportunity than other members of the electorate to participate in the political processes or to elect representatives of their choice.”
- A new § 2803 ensures that the provisions of this new chapter shall not “be construed to deny, impair, or otherwise adversely affect the right to vote of any registered voter.”
- A new § 2804 empowers the Attorney General’s Office with enforcing and violations through civil actions. “Whenever the Attorney General has reasonable cause to believe that a violation has occurred and that the rights of any voter or group of voters have been affected by such violation, the Attorney General may initiate a civil action for appropriate relief. A court may provide remedy through (1) an injunction stopping the conduct; (2) a civil penalty against the violator of not more than \$5,000.00 for a first violation and of not more than \$25,000.00 for any subsequent violation; and (3) an order requiring reimbursement to the State for its expenses in investigating and prosecuting the action.

Sec. 3 amends 17 V.S.A. chapter 35, “offenses against the purity of elections,” a chapter that already includes civil and criminal sanctions for election violations made by election workers and by voters (e.g. voter fraud). The four new sections contemplate actions by these people, but now also possible third parties that are neither the voter nor the election worker.

- 1) A new § 1934 titled “Interference with Voting” stating that “[a]n election officer or a person acting under color of the law shall not intentionally: (1) refuse to permit or fail to permit a qualified voter to vote; or (2) refuse or fail to tabulate, count, or report the vote of a qualified voter. Violators face a civil penalty of not more than \$1,000.00 for each affected voter. An election officer shall also not (3) change a ballot of a voter to prevent the voter

from voting as the voter desires. Violators face imprisonment of not more than six months or a fine of not more than \$1,000.00, or both, for each affected voter.

- 2) A new § 2022 titled “Intimidation of Election Officers” stating that a “person shall not intentionally, by bribery, intimidation, threats, coercion, or other means in violation of the election laws, hinder or prevent, or attempt to hinder or prevent, an election officer at any polling place from holding an election.” Violators face imprisonment of not more than two years or a fine of not more than \$2,000.00, or both.
- 3) A new § 2023 titled “Intimidation of Voters; Civil Cause of Action” states a “person shall not intentionally intimidate, threaten, or coerce, or intentionally attempt to intimidate, threaten, or coerce: (1) any other person in giving the person’s vote or ballot; or (2) a voter to deter or prevent the voter from voting.” This applies to all elections and caucuses. Violators face imprisonment of not more than two years or a fine of not more than \$2,000.00, or both. In addition to the criminal penalty, there is also create a private cause of action, wherein an affected voter may sue for injunctive relief and attorney’s fees.
- 4) A new § 2024 titled “Communication of False Information to Eligible Voters” states a “person shall not intentionally communicate to a registered voter false information, knowing the information to be false, for the purpose of impeding the voter in exercising the voter’s right to vote. The provisions of this section shall apply to *information only about the date, time, or place of the election; how to register to vote; or a voter’s registration status.*” Violators face imprisonment of not more than six months or a fine not more than \$1,000.00, or both. Again, in addition to the criminal penalty, there is also create a private cause of action, wherein an affected voter may sue for injunctive relief and attorney’s fees.

PART TWO. Safety Protections for Candidates

Sec. 4 amends 17 V.S.A. § 2901(7) in Vermont’s campaign finance law so that the definition of “expenditure” may include those incurred as for the provision of security for the candidate.

PART THREE. Effective Date

Sec. 5 sets the act to take effect on passage.