

# Thirteen Common Questions about All Legal Resident Voting in Local Burlington Elections

More information at: [www.burlingtonvt.gov/AllLegalResidentVoting](http://www.burlingtonvt.gov/AllLegalResidentVoting)

## 1. Why and how is the City of Burlington considering to include all Legal Resident voting in local Burlington elections?

Engaging all Legal Resident voters in the democratic process is a pillar of the U.S. Constitution and bolsters the nation's strong sense of civic engagement. The City of Burlington has a historically robust and politically engaged community. Allowing all Legal Residents to vote in our local elections gives a voice to members of the community who live, work, and pay taxes in Burlington.

Recently, Winooski and Montpelier voted to allow all Legal Residents to vote in local elections and the Legislature's adoption showed strong support across Vermont for all Legal Resident voting in local elections.<sup>1</sup>

All Legal Resident voting may be on the Burlington March 2023 and if voters and the Legislature approve, all Legal Residents will be eligible to vote in future municipal and school board elections if they register.

## 2. Who would be affected by the change?

All Legal Residents of the City of Burlington would be allowed to vote for local candidates and on local questions after they register. Burlington is home to legal residents from all over the world, including but not limited to Canada, Ireland, and Germany. According to [the 2020 American Community Survey 5-year data](#), 5.5% of the City of Burlington's population are legal residents. Additionally, 5.1% of the City's population has been through the naturalization process.

## 3. Who will be eligible to vote?

People 18 years of age or older on the day of the election who are legally in the US and live in the City and intend to make this their home would become eligible to register to vote. For example, green cardholders, residents with eligible work permits, or Deferred Action for Childhood Arrivals (DACA) recipients. Once a person registers, they can vote.

## 4. What would Legal Residents be able to vote on?

The proposal is to permit all Legal Residents to vote on the Mayor, City Councilors, School Board members, city election officers and ballot items pertaining to the City of Burlington. All Legal Residents would not be permitted to vote in state or federal elections.

---

<sup>1</sup> See Vermont House of Representatives and Senate journals regarding the passage of bills in Montpelier ([House](#) Pg. 3, [Senate](#) pg. 25) and Winooski ([House](#) pg. 4, [Senate](#) pg. 26).

## **5. Is Legal Resident voting a new trend?**

**No.** All-resident voting had a long history in Vermont. In the 18<sup>th</sup> century, there were practically no citizenship limitations on voting. Beginning around 1828, many states, including Vermont, started to impose citizenship requirements on state voter eligibility in response to large numbers of immigrants, particularly from Ireland and Western Europe. However, these states and communities allowed Legal Residents to continue to vote at the local level. The proposed charter change seeks to expand voting rights to individuals who are here legally and who can claim Burlington as their primary residence.

## **6. Which other cities in Vermont and in the U.S. allow Legal Residents who are legal permanent residents the right to vote?**

In Vermont, the cities of Winooski and Montpelier established Legal Resident voting in municipal and school elections as of June 2021.

Outside Vermont, at least 13 other municipalities allow Legal Resident voting. These include major cities such as New York City and San Francisco and smaller cities such as Tacoma Park, Maryland and Somerset, Washington.

## **7. What other countries in the world allow Legal Residents who are legal permanent residents the right to vote?**

Outside of the U.S., Legal Resident Non-Citizen can vote in local elections in including Canada, Argentina, Austria, Barbados, Brazil, Chile, Czech Republic, Greece, Hong Kong, Iceland, and Lithuania.

## **8. As a Legal Resident, what may be the effect on me being able to vote now rather than after going through the naturalization process?**

For many Legal Residents becoming a United States citizen can be a complicated, time-consuming, and expensive process. A Legal Resident would be allowed to vote in local elections prior to going through this process, providing additional opportunities for that person to make choices now rather than later relating to representatives, issues, and policies directly impacting their lives and communities.

## **9. Can I, a Legal Resident voter, run for local office, if the Charter is changed as proposed?**

**Yes.** Once a resident is registered to vote, that person can run for local office.

## **10. Does voting violate federal law or cause me to violate my visa or green card?**

**No.** 18 U.S.C. § 611 expressly allows Legal Residents to vote where they “are authorized to vote for such purpose under a State constitution or statute or a local ordinance.” This is what is being proposed.

**11. If as a Legal Resident I register to vote, is my voter registration information public?**

**Yes.** The City will maintain two different lists: (1) a state and federal voter registration list and (2) a municipal voter registration list of all qualified Burlington voters. Both lists are public record that would be available upon request to members of the public; however certain information is exempt from public disclosure, including (a) month and day of birth (b) driver's license or non-driver identification number (c) telephone number (d) e-mail address, and e) Social Security number.

**12. As a Legal Resident my first language is not English. Will there be translations to help me understand what is being voted on?**

**Yes.** Sample ballots will be translated in the 6 top languages spoken by the City's Immigrant and Refugee Communities. These are Nepali, Somali, Swahili, Vietnamese, French and Arabic. These are available before the Election Day and at each election location.

**13. When could a Legal Resident register to vote if this charter change is approved by the voters and the Legislature?**

Vermont has same-day voter registration, meaning eligible voters can register to vote on Election Day or before, if they are:

- a legal resident of the United States
- not less than 18 years of age
- residing in the City of Burlington
- registered to vote with the Board for Registration of Voters and taken the Voter's Oath.