

Bond Case Briefs

Municipal Finance Law Since 1971

ELECTIONS - VERMONT

Morin v. City of Burlington

Supreme Court of Vermont - May 15, 2026 - A.3d - 2026 WL 1378677 - 2026 VT 17

Two citizens registered to vote in city brought action against city seeking declaratory judgment and injunctive relief, claiming that city charter amendment allowing noncitizens to vote in school-board and school-budget elections violated voter-eligibility requirements in state constitution.

The Superior Court granted city's motion to dismiss for failure to state a claim upon which relief can be granted and dismissed case with prejudice. Citizens appealed.

The Supreme Court held that citizens failed to demonstrate that school-board and school-budget elections were statewide elections subject to the voter-eligibility requirements of the Vermont Constitution.

Citizens that brought constitutional challenge to city charter amendment allowing noncitizens to vote in school board and school budget elections failed to demonstrate that school-board and school-budget elections were statewide elections subject to the voter-eligibility requirements of the Vermont Constitution; the Legislature had expressly indicated that school matters were local and had delegated the administration of school districts to municipalities which were structurally subordinate to the State and could not create State obligations, and it was not municipal votes that decided statewide expenditures but the State's use of those municipal votes when crafting a funding formula.