

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 563
3 entitled “An act relating to attempted auto theft” respectfully reports that it has
4 considered the same and recommends that the bill be amended by striking out
5 all after the enacting clause and inserting in lieu thereof the following:

6 Sec. 1. 13 V.S.A. § 2501 is amended to read:

7 § 2501. GRAND LARCENY

8 (a) A person who steals from the actual or constructive possession of
9 another, other than from ~~his or her~~ the person, money, goods, chattels, bank
10 notes, bonds, promissory notes, bills of exchange or other bills, orders, or
11 certificates, or a book of accounts for or concerning money, or goods due or to
12 become due or to be delivered, or a deed or writing containing a conveyance of
13 land, or any other valuable contract in force, or a receipt, release or defeasance,
14 writ, process, or public record, shall be imprisoned not more than 10 years or
15 fined not more than \$5,000.00, or both, if the money or other property stolen
16 exceeds \$900.00 in value.

17 (b) Notwithstanding section 9 of this title, a person convicted of attempting
18 to steal a motor vehicle in violation of this section shall be imprisoned not
19 more than five years or fined not more than \$2,500.00, or both.

1 Sec. 2. 13 V.S.A. § 3705 is amended to read:

2 § 3705. UNLAWFUL TRESPASS

3 * * *

4 (c) A person who enters the vehicle of another person and knows or should
5 know that the person does not have legal authority or the consent of the person
6 in lawful possession of the vehicle to do so shall be imprisoned not more than
7 three months or fined not more than \$500.00, or both. For a second or
8 subsequent offense, a person who violates this subsection shall be imprisoned
9 not more than one year or fined not more than \$500.00, or both. Notice against
10 trespass shall not be required under this subsection.

11 (d) A person who enters a building other than a residence, whose access is
12 normally locked, whether or not the access is actually locked, or a residence in
13 violation of an order of any court of competent jurisdiction in this State shall
14 be imprisoned for not more than one year or fined not more than \$500.00, or
15 both. For a second or subsequent offense, a person who violates this
16 subsection shall be imprisoned not more than three years or fined not more
17 than \$2,000.00, or both.

18 ~~(d)~~(e) A person who enters a dwelling house, whether or not a person is
19 actually present, knowing that ~~he or she~~ the person is not licensed or privileged
20 to do so shall be imprisoned for not more than three years or fined not more
21 than \$2,000.00, or both.

1 ~~(e)~~(f) A law enforcement officer shall not be prosecuted under subsection
2 (a) of this section if ~~he or she~~ the law enforcement officer is authorized to serve
3 civil or criminal process, including citations, summons, subpoenas, warrants,
4 and other court orders, and the scope of ~~his or her~~ the law enforcement
5 officer's entrance onto the land or place of another is ~~no~~ not more than
6 necessary to effectuate the service of process.

7 Sec. 3. 23 V.S.A. § 1094 is amended to read:

8 § 1094. OPERATION WITHOUT CONSENT OF OWNER;

9 AGGRAVATED OPERATION WITHOUT CONSENT OF OWNER

10 (a) A person commits the crime of operation without consent of the owner
11 if:

12 (1) the person knew or should have known that the person did not have
13 the consent of the owner when the person took, operated, used, or continued to
14 operate the motor vehicle of another; or

15 (2) the person, without the consent of the owner, knowingly takes,
16 obtains, operates, uses, or continues to operate the motor vehicle of another.

17 * * *

18 (c) A person convicted under subdivision (a)(1) of this section shall be
19 imprisoned not more than three months or fined not more than \$500.00, or
20 both. A person convicted under ~~subsection~~ subdivision (a)(2) of this section ~~of~~

1 ~~operation without consent of the owner~~ shall be imprisoned not more than two
2 years or fined not more than \$1,000.00, or both.

3 * * *

4 Sec. 4. EFFECTIVE DATE

5 This act shall take effect on July 1, 2024.

6 and that after passage the title of the bill be amended to read: “An act
7 relating to criminal motor vehicle offenses involving unlawful trespass, theft,
8 or unauthorized operation”

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14 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE