

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 4
3 entitled “An act relating to reducing crimes of violence associated with
4 juveniles and dangerous weapons” respectfully reports that it has considered
5 the same and recommends that the bill be amended by striking out all after the
6 enacting clause and inserting in lieu thereof the following:

7 **Sec. 1. 33 V.S.A. § 5204 is amended to read:**

8 **§ 5204. TRANSFER FROM FAMILY DIVISION OF THE SUPERIOR**
9 **COURT**

10 (a) After a petition has been filed alleging delinquency, upon motion of the
11 State’s Attorney and after hearing, the Family Division of the Superior Court
12 may transfer jurisdiction of the proceeding to the Criminal Division of the
13 Superior Court if the child had attained 16 years of age but not 19 years of age
14 at the time the act was alleged to have occurred and the delinquent act set forth
15 in the petition is a felony not specified in subdivisions (1)-(12) of this
16 subsection or if the child had attained 12 years of age but not 14 years of age at
17 the time the act was alleged to have occurred, and if the delinquent act set forth
18 in the petition was any of the following:

19 (1) arson causing death as defined in 13 V.S.A. § 501;

20 (2) assault and robbery with a dangerous weapon as defined in 13 V.S.A.
21 § 608(b);

- 1 (3) assault and robbery causing bodily injury as defined in 13 V.S.A. §
- 2 608(c);
- 3 (4) aggravated assault as defined in 13 V.S.A. § 1024;
- 4 (5) murder as defined in 13 V.S.A. § 2301 and aggravated murder as
- 5 defined in 13 V.S.A. § 2311;
- 6 (6) manslaughter as defined in 13 V.S.A. § 2304;
- 7 (7) kidnapping as defined in 13 V.S.A. § 2405;
- 8 (8) unlawful restraint as defined in 13 V.S.A. § 2406 or 2407;
- 9 (9) maiming as defined in 13 V.S.A. § 2701;
- 10 (10) sexual assault as defined in 13 V.S.A. § 3252(a)(1) or (a)(2);
- 11 (11) aggravated sexual assault as defined in 13 V.S.A. § 3253 and
- 12 aggravated sexual assault of a child as defined in 13 V.S.A. § 3253a; ~~or~~
- 13 (12) burglary into an occupied dwelling as defined in 13 V.S.A. §
- 14 1201(c);
- 15 (13) carrying a firearm while committing a felony in violation of 13
- 16 V.S.A. § 4005;
- 17 (14) trafficking a regulated drug in violation of 18 V.S.A. chapter 84,
- 18 subchapter 1;
- 19 (15) human trafficking or aggravated human trafficking in violation of
- 20 13 V.S.A. § 2652 or 2653;
- 21 (16) aggravated stalking as defined in 13 V.S.A. § 1063(a)(3);

1 (17) an attempt to commit any of the offenses listed in this subsection;

2 or

3 (18) a violation of a condition of release as defined in 13 V.S.A. § 7559

4 imposed by the Criminal Division for any of the offenses listed in this

5 subsection.

6 (b) The State’s Attorney of the county where the juvenile petition is
7 pending may move in the Family Division of the Superior Court for an order
8 transferring jurisdiction under subsection (a) of this section at any time prior to
9 adjudication on the merits. The filing of the motion to transfer jurisdiction shall
10 automatically stay the time for the hearing provided for in section 5225 of this
11 title, which stay shall remain in effect until such time as the Family Division of
12 the Superior Court may deny the motion to transfer jurisdiction.

13 (c) Upon the filing of a motion to transfer jurisdiction under subsection (b)
14 of this section, the Family Division of the Superior Court shall conduct a
15 hearing in accordance with procedures specified in subchapter 2 of this chapter
16 to determine whether:

17 (1) there is probable cause to believe that the child committed the
18 charged offense; and

19 (2) public safety and the interests of the community would not be served
20 by treatment of the child under the provisions of law relating to the Family
21 Division of the Superior Court and delinquent children.

1 (d) In making its determination as required under subsection (c) of this
2 section, the court may consider, among other matters:

3 (1) the maturity of the child as determined by consideration of the child's
4 age, home, and environment; emotional, psychological, and physical maturity;
5 and relationship with and adjustment to school and the community;

6 (2) the extent and nature of the child's prior record of delinquency;

7 (3) the nature of past treatment efforts and the nature of the child's
8 response to them, including the child's mental health treatment and substance
9 abuse treatment and needs;

10 (4) the nature and circumstances of the alleged offense, including
11 whether the alleged offense was committed in an aggressive, violent,
12 premeditated, or willful manner;

13 (5) the nature of any personal injuries resulting from or intended to be
14 caused by the alleged act;

15 (6) the prospects for rehabilitation of the child by use of procedures,
16 services, and facilities available through juvenile proceedings;

17 (7) whether the protection of the community would be better served by
18 transferring jurisdiction from the Family Division to the Criminal Division of
19 the Superior Court;

20 (8) the youth's residential housing status;

21 (9) the youth's employment and educational situation;

1 (10) whether the youth has complied with conditions of release;

2 (11) the youth’s criminal record and whether the youth has engaged in
3 subsequent criminal or delinquent behavior since the original charge;

4 (12) whether the youth has connections to the community; and

5 (13) the youth’s history of violence and history of illegal or violent
6 conduct involving firearms.

7 (e) A transfer under this section shall terminate the jurisdiction of the
8 Family Division of the Superior Court over the child only with respect to those
9 delinquent acts alleged in the petition with respect to which transfer was
10 sought.

11 (f)(1)(A) The Family Division, following completion of the transfer
12 hearing, shall make findings and, if the court orders transfer of jurisdiction
13 from the Family Division, shall state the reasons for that order. If the Family
14 Division orders transfer of jurisdiction, the child shall be treated as an adult.
15 The State’s Attorney shall commence criminal proceedings as in cases
16 commenced against adults.

17 (B) If the Family Division orders transfer of jurisdiction pursuant to
18 this subsection and it appears to the court that the child may be amenable to
19 treatment as a youthful offender, the court may proceed immediately to a
20 youthful offender consideration hearing under section 5283 of this title. At a
21 youthful offender consideratrion hearing held pursuant to this subdivision, the

1 court may rely on findings and evidence presented in the juvenile transfer
2 hearing, in addition to any further evidence presented by the parties, and the
3 court shall not be required to consider the criteria of subdivision 5284(a)(2) of
4 this title.

5 (2) Notwithstanding subdivision (1) of this subsection, the parties may
6 stipulate to a transfer of jurisdiction from the Family Division at any time after
7 a motion to transfer is made pursuant to subsection (b) of this section. The
8 court shall not be required to make findings if the parties stipulate to a transfer
9 pursuant to this subdivision. Upon acceptance of the stipulation to transfer
10 jurisdiction, the court shall transfer the proceedings to the Criminal Division
11 and the child shall be treated as an adult. The State’s Attorney shall commence
12 criminal proceedings as in cases commenced against adults.

13 * * *

14 Sec. 2. 18 V.S.A. § 4252 is amended to read:

15 § 4252. ~~PENALTIES FOR DISPENSING OR SELLING~~ KNOWINGLY
16 OR RECKLESSLY PERMITTING SALE OR DISPENSING OF
17 REGULATED DRUGS IN A DWELLING

18 (a) No person shall knowingly or recklessly permit a dwelling, building, or
19 structure owned by or under the control of the person to be used for the
20 purpose of illegally dispensing or selling a regulated drug.

1 ~~(b) A landlord shall be in violation of subsection (a) of this section only if~~
2 ~~the landlord knew at the time he or she signed the lease agreement that the~~
3 ~~tenant intended to use the dwelling, building, or structure for the purpose of~~
4 ~~illegally dispensing or selling a regulated drug. [Repealed.]~~

5 (c) A person who violates this section shall be imprisoned not more than
6 ~~two~~ five years or fined not more than \$15,000.00, or both.

7 (d) It shall not be a violation of this section if the person who owns or
8 controls the dwelling, building, or structure takes action to address the
9 unlawful activity, including reporting the unlawful activity to law enforcement
10 or initiating eviction proceedings.

11 (e) As used in this section, “recklessly” means consciously disregarding a
12 substantial and unjustifiable risk.

13 Sec. 3. 13 V.S.A. Chapter 60 is amended to read:

14 CHAPTER 60. HUMAN TRAFFICKING

15 * * *

16 § 2659. KNOWINGLY OR RECKLESSLY PERMITTING HUMAN
17 TRAFFICKING IN A DWELLING

18 (a) No person shall knowingly or recklessly permit a dwelling, building, or
19 structure owned by or under the control of the person to be used for the
20 purpose of human trafficking or aggravated human trafficking in violation of
21 section 2652 or 2653 of this title

1 (b) A person who violates this section shall be imprisoned not more than
2 five years or fined not more than \$15,000.00 or both.

3 (c) It shall not be a violation of this section if the person who owns or
4 controls the dwelling, building, or structure takes action to address the
5 unlawful activity, including reporting the unlawful activity to law enforcement
6 or initiating eviction proceedings.

7 (d) As used in this section, “recklessly” means consciously disregarding a
8 substantial and unjustifiable risk.

9 Sec. 4. 13 V.S.A. § 4024 is added to read:

10 § 4024. DEFACING OF FIREARM’S SERIAL NUMBER

11 (a) A person shall not knowingly possess a firearm that has had the
12 importer’s or manufacturer’s serial number removed, obliterated, or altered.

13 (b) A person who violates this section shall be imprisoned not more than
14 five years or fined not more than ~~\$100,000.00~~ \$50,000.00, or both.

15 (c) As used in this section:

16 (1) “Firearm” has the same meaning as in section 4017 of this title.

17 (2) “Importer” means any person engaged in the business of importing
18 or bringing firearms or ammunition into the United States for purposes of sale
19 or distribution.

20 (3) “Manufacturer” means any person engaged in the business of
21 manufacturing firearms or ammunition for purposes of sale or distribution.

1 (d) Conduct constituting the offense of defacing a firearm’s serial number
2 shall be considered a violent act for the purposes of determining whether a
3 person is eligible for bail under section 7553a of this title.

4 Sec. 5. 13 V.S.A. § 4025 is added to read:

5 § 4025. STRAW PURCHASING OF FIREARMS

6 (a) A person shall not purchase a firearm for, on behalf of, or at the request
7 or demand of another person if the purchaser knows or reasonably should
8 know that the other person:

9 (1) is prohibited by state or federal law from possessing a firearm;

10 (2) intends to carry the firearm while committing a felony; or

11 (3) intends to transfer the firearm to another person who:

12 (A) is prohibited by state or federal law from possessing a firearm; or

13 (B) intends to carry the firearm while committing a felony.

14 (b) It shall not be a violation of this section if the person purchased the
15 firearm as a result of threats or coercion by another person.

16 (b) A person who violates this section shall be imprisoned not more than
17 five years or fined not more than ~~\$100,000.00~~ \$50,000.00, or both.

18 (c) As used in this section, “firearm” has the same meaning as in section
19 4017 of this title.

1 (d) Conduct constituting the offense of straw purchasing of firearms shall
2 be considered a violent act for the purposes of determining whether a person is
3 eligible for bail under section 7553a of this title.

4 Sec. 6. 13 V.S.A. § 4017a is added to read:

5 § 4017a. FUGITIVES FROM JUSTICE; PERSONS SUBJECT TO FINAL
6 RELIEF FROM ABUSE OR STALKING ORDER; PERSONS
7 CHARGED WITH CERTAIN OFFENSES; PROHIBITION ON
8 POSSESSION OF FIREARMS

9 (a) A person shall not possess a firearm if the person:

10 (1) is a fugitive from justice;

11 (2) is the subject of a final relief from abuse order issued pursuant to
12 15 V.S.A. § 1104;

13 (3) is the subject of a final order against stalking issued pursuant to 12
14 V.S.A. § 5133; or

15 (4) has been charged with against whom charges are pending for:

16 (A) carrying a dangerous weapon while committing a felony in
17 violation of section 4005 of this title;

18 (B) trafficking a regulated drug in violation of 18 V.S.A. chapter 84,
19 subchapter 1; or

20 (C) human trafficking or aggravated human trafficking in violation of
21 section 2652 or 2653 of this title.

1 (b) A person who violates this section shall be imprisoned not more than
2 two years or fined not more than \$1,000.00, or both.

3 (c) As used in this section:

4 (1) “Firearm” has the same meaning as in section 4017 of this title.

5 (2) “Fugitive from justice” means a person who has fled to avoid
6 prosecution for a crime or to avoid giving testimony in a criminal proceeding.

7 Sec. 7. 13 V.S.A. § 4005 is amended to read:

8 § 4005. WHILE COMMITTING A ~~CRIME~~ FELONY

9 (a) Except as otherwise provided in 18 V.S.A. § 4253, a person who carries
10 a dangerous or deadly weapon, openly or concealed, while committing a felony
11 shall be imprisoned not more than five years or fined not more than \$500.00,
12 or both.

13 (b)(1) Carrying a firearm while committing a felony in violation of this
14 section shall be considered a violent act for the purposes of determining
15 whether a person is eligible for bail under section 7553a of this title.

16 (2) An offense that is a felony instead of a misdemeanor solely because
17 of the monetary value of the property involved shall not be considered a
18 violent act under this subsection.

19 Sec. 8. 13 V.S.A. § 4020 is amended to read:

20 § 4020. SALE OF FIREARMS TO PERSONS UNDER 21 YEARS OF AGE
21 PROHIBITED

1 (a) A person shall not sell a firearm or transfer a semiautomatic assault
2 weapon to a person under 21 years of age. A person who violates this
3 subsection shall be imprisoned for not more than one year or fined not more
4 than \$1,000.00, or both.

5 (b)(1) This Except as provided in subdivision (2) of this subsection, this
6 section shall not apply to:

7 ~~(1)(A)~~ a law enforcement officer;

8 ~~(2)(B)~~ an active or veteran member of the Vermont National Guard, of
9 the National Guard of another state, or of the U.S. Armed Forces;

10 ~~(3)(C)~~ a person who provides the seller with a certificate of satisfactory
11 completion of a Vermont hunter safety course or an equivalent hunter safety
12 course that is approved by the Commissioner; or

13 ~~(4)(D)~~ a person who provides the seller with a certificate of satisfactory
14 completion of a hunter safety course in another state or a province of Canada
15 that is approved by the Commissioner.

16 (2) The exceptions under subdivisions (1)(C) and (1)(D) of this
17 subsection shall not apply to a person who transfers a semiautomatic assault
18 weapon to a person under 21 years of age in violation of subsection (a) of this
19 section.

20 (c) As used in this section:

1 (1) “Firearm” shall have the same meaning as in subsection 4017(d) of
2 this title.

3 (2) “Law enforcement officer” shall have the same meaning as in
4 subsection 4016(a) of this title.

5 (3) “Commissioner” means the Commissioner of Fish and Wildlife.

6 (4) “Semiautomatic assault weapon” means:

7 (A) a semiautomatic rifle that has an ability to accept a detachable
8 magazine and has at least one of the following features:

9 (i) a folding or telescoping stock;

10 (ii) a pistol grip that protrudes conspicuously beneath the action of
11 the weapon;

12 (iii) a thumbhole stock;

13 (iv) a second handgrip or a protruding grip that can be held by the
14 nontrigger hand;

15 (v) a bayonet mount;

16 (vi) a flash suppressor, muzzle break, muzzle compensator, or
17 threaded barrel designed to accommodate a flash suppressor, muzzle break, or
18 muzzle compensator; or

19 (vii) a grenade launcher;

20 (B) a semiautomatic pistol that has an ability to accept a detachable
21 magazine and has at least one of the following features:

1 (i) a folding or telescoping stock;

2 (ii) a thumbhole stock;

3 (iii) a second handgrip or a protruding grip that can be held by the
4 nontrigger hand;

5 (iv) capacity to accept an ammunition magazine that attaches to
6 the pistol outside the pistol grip;

7 (v) a threaded barrel capable of accepting a barrel extender, flash
8 suppressor, forward handgrip, or silencer;

9 (vi) a shroud that is attached to, or partially or completely
10 encircles, the barrel and that permits the shooter to hold the firearm with the
11 nontrigger hand without being burned;

12 (vii) a manufactured weight of 50 ounces or more when the pistol
13 is unloaded; or

14 (viii) a semiautomatic version of an automatic firearm; or

15 (C) a semiautomatic shotgun that has at least one of the following
16 features:

17 (i) a folding or telescoping stock;

18 (ii) a thumbhole stock;

19 (iii) a second handgrip or a protruding grip that can be held by the
20 nontrigger hand;

21 (iv) a fixed magazine capacity in excess of seven rounds; or

1 (v) an ability to accept a detachable magazine.

2 (2) “Semiautomatic assault weapon” does not include:

3 (A) a firearm that:

4 (i) is manually operated by bolt, pump, lever, or slide action;

5 (ii) has been rendered permanently inoperable; or

6 (iii) is an antique firearm as defined in section 4017 of this title;

7 (B) a semiautomatic rifle that cannot accept a detachable magazine

8 that holds more than five rounds of ammunition; or

9 (C) a semiautomatic shotgun that cannot hold more than five rounds

10 of ammunition in a fixed or detachable magazine.

11 Sec. 9. 33 V.S.A. § 5117 is amended to read:

12 § 5117. RECORDS OF JUVENILE JUDICIAL PROCEEDINGS

13 (a) Except as otherwise provided, court and law enforcement reports and
14 files concerning a person subject to the jurisdiction of the court shall be
15 maintained separate from the records and files of other persons. Unless a
16 charge of delinquency is transferred for criminal prosecution under chapter 52
17 of this title or the court otherwise orders in the interests of the child, such
18 records and files shall not be open to public inspection nor their contents
19 disclosed to the public by any person. However, upon a finding that a child is
20 a delinquent child by reason of commission of a delinquent act that would have
21 been a felony if committed by an adult, the court, upon request of the victim,

1 shall make the child’s name available to the victim of the delinquent act. If the
2 victim is incompetent or deceased, the child’s name shall be released, upon
3 request, to the victim’s guardian or next of kin.

4 * * *

5 (d) Such records and files shall be available to:

6 (1) State’s Attorneys and all other law enforcement officers in
7 connection with record checks and other legal purposes; and

8 (2) the National Instant Criminal Background Check System in
9 connection with a background check conducted on a person under 21 years of
10 age pursuant to 18 U.S.C. § 922(t)(1)(C) and 34 U.S.C. § 40901(l).

11 * * *

12 **Sec. 10. 18 V.S.A. § 13 is added to read:**

13 **§ 13. COMMUNITY VIOLENCE PREVENTION GRANT PROGRAM**

14 **(a) There is established a Community Violence Prevention Program to be**
15 **administered by the Department of Health in consultation with the Department**
16 **of Public Safety, the Director of Violence Prevention, and the Executive**
17 **Director of Racial Equity. The Program shall work with communities to**
18 **implement innovative, evidence-based, and evidence-informed programs**
19 **addressing causes of youth and community violence. Grants awarded pursuant**
20 **to this section shall be at the discretion of the Commissioner of Health.**

1 **(b)(1) A municipality or organization may submit an application for a**
2 **Community Violence Prevention Program grant to the Commissioner of**
3 **Health. Grants awarded under this section shall be for the purpose of shall be**
4 **for the purpose of funding innovative, evidence-based or evidence-informed**
5 **approaches to reducing violence and associated community harm.**

6 **(2) The Commissioner of Health, in consultation with the Department of**
7 **Public Safety and the Executive Director of Racial Equity, shall develop and**
8 **publish guidelines, for the award of Community Violence Prevention grants.**
9 **The guidelines shall include a focus on increasing community capacity to**
10 **implement approaches for human services, public health, and public safety**
11 **collaboration to address root causes of community violence and substance use**
12 **through data-driven projects.**

13 **(c) The Community Violence Prevention Program shall collect data to**
14 **monitor youth and community violence and its related risk and protective**
15 **factors and to evaluate the impact of prevention efforts, and shall use the data**
16 **to plan and implement programs. The Program shall use monitoring and**
17 **evaluation data to track the impact of interventions.**

18 **(d) Statewide strategies organized by the Department of Health may**
19 **include technical assistance contracts, statewide evaluation of the Program, or**
20 **other strategies that would benefit grantees and enhance the effectiveness of**
21 **the Program.**

1 Sec. 11. APPROPRIATION

2 (a) The sum of \$10,000,000.00 is appropriated from the General Fund to
3 the Department of Health in fiscal year 2024 for the purpose of supporting the
4 Community Violence Prevention Program established by 18 V.S.A. § 13.

5 Unexpended appropriations shall carry forward into the subsequent fiscal year
6 and remain available for use for this purpose.

7 (b) The Department of Health is authorized to seek and accept grant
8 funding for the purpose of supporting the Community Violence Prevention
9 Program to supplement state appropriations.

10 (c) If funding is available for the Community Violence Prevention Program
11 from federal grants or legal settlements related to drug use or criminal activity:

12 (1) such federal or settlement funds shall be utilized first for the
13 Program; and

14 (2) an amount of the General Fund appropriation made under subsection
15 (a) of this section equal to the total amount of federal grants or legal
16 settlements received by the Program shall be reverted to the General Fund.

17 Sec. 12. 2018 Acts and Resolves No. 201, Sec. 21, as amended by 2022 Acts
18 and Resolves No. 160, Sec. 1, is amended to read:

19 Sec. 21. EFFECTIVE DATES

20 * * *

21 (d) Secs. 17–19 shall take effect on ~~July 1, 2023~~ July 1, 2024.

1 Sec. 13. 2020 Acts and Resolves No. 124, Sec. 12, as amended by 2022 Acts
2 and Resolves No. 160, Sec. 2, is amended to read:

3 Sec. 12. EFFECTIVE DATES

4 (a) Secs. 3 (33 V.S.A. § 5103(c)) and 7 (33 V.S.A. § 5206) shall take effect
5 on ~~July 1, 2023~~ July 1, 2024.

6 * * *

7 Sec. 14. PLAN FOR SECURE PLACEMENTS

8 (a) On or before September 1, 2023 and December 1, 2023, the Department
9 for Children and Families shall file a status reports to the Joint Legislative
10 Justice Oversight Committee and the Senate and House Committees on
11 Judiciary describing the progress made toward implementing the requirement
12 of Secs. 12 and 13 of this act that the Raise the Age initiative take effect on
13 July 1, 2024.

14 Sec. 15. SENTENCING COMMISSION REPORT

15 On or before December 15, 2023, the Vermont Sentencing Commission
16 shall report to the Joint Legislative Justice Oversight Committee and the
17 Senate and House Committees on Judiciary on whether the offenses for which
18 transfer from the Family Division to the Criminal division is permitted under
19 33 V.S.A. § 5204(a) should be expanded to include:

20 (1) first degree arson as defined in 13 V.S.A. § 502 or second degree
21 arson as defined in 13 V.S.A. § 503;

- 1 (2) stalking as defined in 13 V.S.A. § 1062;
- 2 (3) domestic assault as defined in 13 V.S.A. § 1042, first degree
- 3 aggravated domestic assault a defined in 13 V.S.A. § 1043 and second degree
- 4 aggravated domestic assault a defined in 13 V.S.A. § 1044;
- 5 (4) selling or dispensing a regulated drug with death resulting as defined
- 6 in 18 V.S.A. § 4250;
- 7 (5) using a firearm while selling or dispensing a drug as defined in 18
- 8 V.S.A. § 4253;
- 9 (6) carrying a dangerous or deadly weapon while committing a felony as
- 10 defined in 13 V.S.A. § 4005;
- 11 (7) lewd or lascivious conduct as defined in 13 V.S.A. § 2601 or lewd or
- 12 lascivious conduct with a child as defined in 13 V.S.A. § 2602;
- 13 (8) eluding a police officer with serious bodily injury or death resulting
- 14 as defined in 23 V.S.A. § 1133(b);
- 15 (9) willful and malicious injuries caused by explosives as defined in 13
- 16 V.S.A. § 1601, injuries caused by destructive devices as defined in 13 V.S.A. §
- 17 1605 or injuries caused by explosives as defined in 13 V.S.A. § 1608;
- 18 (10) grand larceny as defined in 13 V.S.A. § 2501 or larceny from the
- 19 person as defined in 13 V.S.A. § 2503;

1 (11) operating vehicle under the influence of alcohol or other substance
2 with either death or serious bodily injury resulting as defined in 23 V.S.A. §
3 1210(f) and (g);

4 (12) careless or negligent operation resulting in serious bodily injury or
5 death as defined in 23 V.S.A. § 1091(b);

6 (13) leaving the scene of an accident with serious bodily injury or death
7 as defined in 23 V.S.A. § 1128(b) or (c);

8 (14) a hate-motivated crime as defined in 13 V.S.A. § 1455;

9 (15) conspiracy as defined in 13 V.S.A. § 1404; or

10 (16) a violation of an abuse prevention order as defined in 13 V.S.A. §
11 1030 or violation of an order against stalking or sexual assault as defined in 12
12 V.S.A. § 5138.

13 Sec. 16. SEVERABILITY

14 As set forth in 1 V.S.A. 215, the provisions of this act are severable, and if a
15 court finds any provision of this act to be invalid, or if any application of this
16 act to any person or circumstance is invalid, the invalidity shall not affect other
17 provisions or applications that can be given effect without the invalid provision
18 or application.

19 Sec. 17. EFFECTIVE DATE

20 This act shall take effect on passage.

21

1

2 (Committee vote: _____)

3

4

Senator _____

5

FOR THE COMMITTEE