

1 H.564

2 Introduced by Representatives Burditt of West Rutland, Goslant of Northfield,
3 and Oliver of Sheldon

4 Referred to Committee on

5 Date:

6 Subject: Crimes; trespass and malicious injuries to property; unlawful trespass

7 Statement of purpose of bill as introduced: This bill proposes to expand the
8 crime of unlawful trespass to include entering a vehicle without legal authority
9 or the consent of the person in lawful possession and to establish a higher
10 penalty for second and subsequent offenses for unlawful trespass in a building.

11 An act relating to entering a vehicle without legal authority or consent

12 It is hereby enacted by the General Assembly of the State of Vermont:

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

14 § 3705. UNLAWFUL TRESPASS

15 * * *

16 (c) A person who knowingly enters the vehicle of another person without
17 legal authority or the consent of the person in lawful possession of the vehicle
18 shall be fined not more than \$500.00. For a second or subsequent offense, a
19 person who violates this subsection (c) shall be imprisoned not more than one
20 year or fined not more than \$500.00, or both.

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

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

12 ~~(e)~~(f) A law enforcement officer shall not be prosecuted under subsection
13 (a) of this section if ~~he or she~~ the law enforcement officer is authorized to serve
14 civil or criminal process, including citations, summons, subpoenas, warrants,
15 and other court orders, and the scope of ~~his or her~~ the law enforcement
16 officer's entrance onto the land or place of another is ~~not~~ not more than
17 necessary to effectuate the service of process.

18 Sec. 2. EFFECTIVE DATE

19 This act shall take effect July 1, 2024.