



H.880 - An act relating to increasing access to the judicial system

Surcharge language

When the surcharges were increase in FY 24 in 13 V.S.A. § 7282, the intent was that, for offenses committed after June 30, 2009, but before July 1, 2013 (in subsection C) and after July 1, 2013 (in subsection D), only those offenses adjudicated after June 30, 2023 would be subject to the new increased surcharges noted in subsections (C) and (D).

The intent was to look at when the offense occurred (which could be prior to June 30, 2023), but only charge the new surcharge amount for those cases adjudicated **after** June 30, 2023.

In order to ensure that the intent is clear moving forward after June 30, 2024, we are requesting that you consider the following amendment to 13 V.S.A. § 7282 (amendment is to current law, not to the H.880 language)

(C) For any offense or violation committed after June 30, 2009, but before July 1, 2013, and adjudicated after June 30, 2024, \$41.00, of which \$27.50 shall be deposited in the Victims Compensation Special Fund created by section 5359 of this title, and of which \$13.50 shall be deposited in the Domestic and Sexual Violence Special Fund created by section 5360 of this title. 13

(D) For any offense or violation committed after June 30, 2013, and adjudicated after June 30, 2024, \$47.00, of which \$33.50 shall be deposited in the Victims Compensation Special Fund created by section 5359 of this title, and of which \$13.50 shall be deposited in the Domestic and Sexual Violence Special Fund created by section 5360 of this title.

(Delete E as proposed in H.880 - (E) would be redundant and unnecessary per the amendment in (D)).

Alternate Dedicated Revenues for DV/SV Special Fund

If the committee is interested in making structural improvements to the performance of the DVSV Fund, we would suggest including the following language in H.880:

Sec. 1 Domestic and Sexual Violence Special Fund Review and Report



(a) It is the intent of the General Assembly to create revenue stability for the Domestic and Sexual Violence Special Fund (“DV/SV Fund”), which supports domestic and sexual violence programs and services in Vermont.

(b) On or before November 1, 2024, the Joint Fiscal Office shall provide estimated revenues which would result from a surcharge or a percentage of the tax due on the sale of alcohol (7 V.S.A. § 15) cannabis (32 V.S.A. § 7902), a percentage transfer from the Sports Wagering Enterprise Fund (31 V.S.A § 1341), or a surcharge on the manufacture of firearms, firearms parts or ammunition.

(c) The Joint Fiscal Office shall provide a report on the estimated revenues from subsection (b) of this section to the House and Senate Judiciary Committees, the House and Senate Appropriations Committee and the House Committee on Ways and Means and the Senate Committee on Finance on or before November 1, 2024.