

1 H.157

2 Introduced by Representative McCullough of Williston

3 Referred to Committee on

4 Date:

5 Subject: Crimes and criminal procedure; illegal wiretapping

6 Statement of purpose of bill as introduced: This bill proposes to prohibit
7 wiretapping unless all parties consent. The prohibition would not apply to law
8 enforcement officers or employees of telecommunications service providers
9 engaged in the lawful performance of their official duties.

10 An act relating to illegal wiretapping

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

12 Sec. 1. 13 V.S.A. § 1032 is added to read:

13 § 1032. ILLEGAL WIRETAPPING

14 (a) As used in this section:

15 (1) "Law enforcement officer" means a person certified by the Vermont
16 Criminal Justice Training Council as having satisfactorily completed the
17 approved training programs required to meet the minimum training standards
18 applicable to that person under 20 V.S.A. § 2358.

1 (2) “Wiretapping” means intentionally overhearing or recording a
2 telephonic or other electronic communication by means of any instrument,
3 device, or equipment.

4 (b) No person shall engage in wiretapping without the consent of all parties
5 involved in the communication.

6 (c) This section shall not apply to:

7 (1) A law enforcement officer engaged in law enforcement duties.

8 (2) An agent or employee of a telecommunications service provider
9 engaged in the ordinary course of business.

10 (d) A person who violates this section shall be imprisoned not more than
11 one year or fined not more than \$5,000.00, or both.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on July 1, 2013.