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1	TO THE HOUSE OF REPRESENTATIVES:
2	The Committee on Fish, Wildlife and Water Resources to which was
3	referred House Bill No. 766 entitled "An act relating to harassment of a fish
4	and wildlife warden" respectfully reports that it has considered the same and
5	recommends that the bill be amended by striking out all after the enacting
6	clause and inserting in lieu thereof the following:
7	Sec. 1. 13 V.S.A. § 1061 is amended to read:
8	§ 1061. DEFINITIONS
9	As used in this subchapter chapter:
10	(1) "Stalk" means to engage in a course of conduct which consists of
11	following, lying in wait for, or harassing, and:
12	(A) serves no legitimate purpose; and
13	(B) would cause a reasonable person to fear for his or her physical
14	safety or would cause a reasonable person substantial emotional distress.
15	(2) "Course of conduct" means a pattern of conduct composed of two or
16	more acts over a period of time, however short, evidencing a continuity of
17	purpose. Constitutionally protected activity is not included within the meaning
18	of "course of conduct."
19	(3) "Following" means maintaining over a period of time a visual or
20	physical proximity to another person in such manner as would cause a
21	reasonable person to have a fear of unlawful sexual conduct, unlawful restraint,
22	bodily injury, or death.

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1	(4) "Harassing" means actions directed at a specific person, or a
2	member of the person's family, which would cause a reasonable person to fear
3	unlawful sexual conduct, unlawful restraint, bodily injury, <del>or</del> death, <u>or damage</u>
4	to property, including but not limited to verbal threats, written, telephonic, or
5	other electronically communicated threats, vandalism, or physical contact
6	without consent.
7	(5) "Lying in wait" means hiding or being concealed for the purpose of
8	attacking or harming another person.
9	Sec. 2. 13 V.S.A. § 1028b is added to read:
10	§ 1028b. HARASSMENT OF A LAW ENFORCEMENT OFFICER OR
11	CORRECTIONS OFFICER
12	(a) As used in this section:
13	(1) "Law enforcement officer" means a member of the Department of
14	Public Safety who exercises law enforcement powers, a member of the State
15	police, a capitol police officer, a municipal police officer, a constable who
16	exercises law enforcement powers, a motor vehicle inspector, an employee of
17	the Department of Liquor Control who exercises law enforcement powers, an
18	investigator employed by the Secretary of State, the Department of Health,
19	Attorney General, or a State's Attorney, a fish and wildlife warden, a sheriff or
20	deputy sheriff who exercises law enforcement powers, and a railroad police
21	officer commissioned pursuant to 5 V.S.A. chapter 68, subchapter 8.

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1	(2) "Corrections officer" means an employee of the Department of
2	Corrections whose official duties or job classification includes the supervision
3	or monitoring of a person on parole or probation or serving any sentence of
4	incarceration whether inside or outside a correctional facility.
5	(b) A person shall not harass a law enforcement officer, corrections officer,
6	or a member of a law enforcement officer's or corrections officer's family, in
7	connection with the officer's exercise of his or her duties.
8	(c) A person who is convicted of harassment of a law enforcement or
9	corrections officer shall be imprisoned not more than two years or fined not
10	more than \$5,000.00, or both.
11	Sec. 3. EFFECTIVE DATE
12	This act shall take effect on July 1, 2014.
13	and that after passage the title of the bill be amended to read: "An act relating
14	to harassment of law enforcement and corrections officers".
15	
16	(Committee vote:)
17	
18	Representative
19	FOR THE COMMITTEE