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H.270

Introduced by Representatives Haas of Rochester, Emmons of Springfield,
Lippert of Hinesburg, and Pugh of South Burlington

Referred to Committee on

Date:

Subject: Criminal procedures; bail and recognizances; release prior to trial

Statement of purpose of bill as introduced: This bill proposes to codify
definitions used for pretrial screenings and assessments initially employed by
2014 Act and Resolves No. 195.

An act relating to definitions for pretrial screenings and assessments

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

Sec. 1. 13 V.S.A. § 7576 is amended to read:

§ 7576. DEFINITIONS

As used in this chapter:

(1) “Appearance bond” means a written agreement which allows a
person charged with a criminal offense to be released if the person pledges to
pay the court a specified amount in the event the person fails to appear at a
court proceeding.

1 (2) “Bail” means any security, including cash, pledged to the court to
2 ensure that a person charged with a criminal offense will appear at future court
3 proceedings.

4 (3) “Clinical assessment” means the procedures, to be conducted after a
5 client has been screened, by which a licensed or otherwise approved counselor
6 identifies and evaluates an individual’s strengths, weaknesses, problems, and
7 needs for the development of a treatment plan.

8 (4) “Needs screening” means a preliminary systematic procedure to
9 evaluate the likelihood that an individual has a substance abuse or a mental
10 health condition.

11 (5) “Risk assessment” means a pretrial assessment that is designed to be
12 predictive of a person’s failure to appear in court and risk of violating pretrial
13 conditions of release with a new alleged offense.

14 ~~(3)~~(6) “Secured appearance bond” means a written agreement which
15 allows a person charged with a criminal offense to be released if:

16 (A) the person pledges to pay the court a specified amount in the
17 event that the person fails to appear at a court proceeding; and

18 (B) a portion of the bond is paid to the court prior to release.

19 ~~(4)~~(7) “Surety” means:

20 (A) a person who agrees to be responsible for guaranteeing the
21 appearance in court of a person charged with a criminal offense; or

1 (B) a person who agrees to be responsible for guaranteeing that
2 another person complies with the conditions of a peace bond under section
3 7573 of this title.

4 ~~(5)~~(8) “Surety bond” means a written agreement, in a form established
5 by the court administrator, under which a surety guarantees the appearance in
6 court of a person charged with a criminal offense, and pledges to pay the court
7 a specified amount if the person fails to appear.

8 Sec. 2. EFFECTIVE DATE

9 This act shall take effect on July 1, 2015.