

H.270

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.

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

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

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

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

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

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

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

~~(4)~~(7) “Surety” means:

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

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

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

## Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2015.