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H.761

Introduced by Representatives Colburn of Burlington, Willhoit of  
St. Johnsbury, and Rachelson of Burlington  
Referred to Committee on

Date:

Subject: Crimes and criminal procedure; bail and recognizances

Statement of purpose of bill as introduced: This bill proposes to restrict the  
imposition of an appearance bond at the initial court appearance of a person  
charged with a nonviolent misdemeanor.

An act relating to limiting the imposition of appearance bonds

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

Sec. 1. 13 V.S.A. § 7551 is amended to read:

§ 7551. APPEARANCE BONDS; GENERALLY

(a) A bond given by a person charged with a criminal offense or by a  
witness in a criminal prosecution under section 6605 of this title, conditioned  
for the appearance of the person or witness before the court in cases ~~where~~ in  
which the offense is punishable by fine or imprisonment, and in appealed  
cases, shall be taken to the Criminal Division of the Superior Court where the  
prosecution is pending, and shall remain binding upon parties until discharged

1 by the court or until sentencing. The person or witness shall appear at all  
2 required court proceedings.

3 (b)(1) No bond may be imposed at the initial appearance of a person  
4 charged with a misdemeanor ~~if the person was cited for the offense in~~  
5 ~~accordance with Rule 3 of the Vermont Rules of Criminal Procedure~~ that is  
6 not:

7 (A) a listed crime as defined in subsection 5301 of this title;

8 (B) an offense involving sexual exploitation of children in violation  
9 of chapter 64 of this title; or

10 (C) an offense involving violation of a protection order in violation  
11 of section 1030 of this title.

12 (2) This subsection shall not be construed to restrict the court's ability to  
13 impose conditions on such ~~persons~~ a person to reasonably ensure his or her  
14 appearance at future proceedings or to reasonably protect the public in  
15 accordance with section 7554 of this title.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on July 1, 2018.