

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Corrections and Institutions to which was referred
3 House Bill No. 150 entitled “An act relating to parole eligibility” respectfully
4 reports that it has considered the same and recommends that the bill be
5 amended by striking out all after the enacting clause and inserting in lieu
6 thereof the following:

7 Sec. 1. 28 V.S.A. § 502a is amended to read:

8 § 502a. RELEASE ON PAROLE

9 (a) No inmate serving a sentence with a minimum term shall be released on
10 parole until the inmate has served the minimum term of the sentence, less any
11 reductions for good behavior.

12 * * *

13 (d) Notwithstanding subsection (a) of this section, or any other provision of
14 law to the contrary, any inmate who is serving a sentence, including an inmate
15 who has not yet served the minimum term of the sentence, who is diagnosed as
16 having a terminal or ~~debilitating~~ serious medical condition so as to render the
17 inmate unlikely to be physically capable of presenting a danger to society, may
18 be released on medical parole to a hospital, hospice, other licensed inpatient
19 facility, or suitable housing accommodation as specified by the Parole Board.
20 The Provided the inmate has authorized the release of his or her personal
21 health information, the Department shall promptly notify the Parole Board

1 upon receipt of medical information of an inmate’s diagnosis of a terminal or
2 ~~debilitating~~ serious medical condition. As used in this subsection, a “serious
3 medical condition” does not mean a condition caused by noncompliance with a
4 medical treatment plan.

5 Sec. 2. 28 V.S.A. § 808(e) is amended to read:

6 (e) The Commissioner may place on medical furlough any offender who is
7 serving a sentence, including an offender who has not yet served the minimum
8 term of the sentence, who is diagnosed with a terminal or ~~debilitating~~ serious
9 medical condition so as to render the offender unlikely to be physically capable
10 of presenting a danger to society. The Commissioner shall develop a policy
11 regarding the application for, standards for eligibility of, and supervision of
12 persons on medical furlough. The offender may be released to a hospital,
13 hospice, other licensed inpatient facility, or other housing accommodation
14 deemed suitable by the Commissioner. As used in this subsection, a “serious
15 medical condition” does not mean a condition caused by noncompliance with a
16 medical treatment plan.

17 Sec. 3. EFFECTIVE DATE

18 This act shall take effect on July 1, 2017.

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3 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE