

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 308  
3 entitled “An act relating to a committee to reorganize and reclassify Vermont’s  
4 criminal statutes” 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. CRIMINAL CODE RECLASSIFICATION IMPLEMENTATION  
8 COMMITTEE

9 (a) Creation. There is created the Criminal Code Reclassification  
10 Committee to implement the Criminal Code Reclassification Study  
11 Committee’s recommendations for reorganizing and restructuring Vermont’s  
12 criminal statutes develop and propose a classification system for purposes of  
13 structuring Vermont’s criminal offenses.

14 (b) Membership. The Committee shall be composed of the following six  
15 members:

16 (1) three current members of the House of Representatives, not all from  
17 the same political party, who shall be appointed by the Speaker of the  
18 House; and

19 (2) three current members of the Senate, not all from the same political  
20 party, who shall be appointed by the Committee on Committees;

21 (c) Powers and duties.

1           (1) The Committee shall develop a classification system that creates  
2           categories of criminal offenses on the basis of the maximum potential period of  
3           imprisonment and the maximum potential fine. The Committee shall propose  
4           legislation that places each of Vermont’s criminal statutes into one of the  
5           classification offense categories it identifies. If the Committee is unable to  
6           reach consensus regarding which classification is appropriate for a particular  
7           offense, the Committee shall indicate multiple classification possibilities for  
8           that offense.

9           (2) For purposes of the classification system developed pursuant to this  
10           section, the Committee shall consider the recommendations of the Criminal  
11           Code Reclassification Study Committee, and may consider whether to propose:

12           (A) rules of statutory interpretation specifically for criminal  
13           provisions;

14           (B) the consistent use of mental element terminology in all criminal  
15           provisions;

16           (C) a comprehensive section of definitions applicable to all criminal  
17           provisions.

18           (d) Assistance. The Committee shall have the administrative, technical,  
19           and legal assistance of the Office of Legislative Council and the Joint Fiscal  
20           Office, and may consult with the Vermont Law School Center for Justice  
21           Reform.

1       (e) Report. On or before December 15, 2017, the Committee shall submit a  
2       report consisting of proposed legislation to the House and Senate Committees  
3       on Judiciary.

4       (f) Meetings.

5           (1) The Committee shall select a chair and a vice chair from among its  
6       members at the first meeting.

7           (2) A majority of the membership shall constitute a quorum.

8           (3) The Committee shall cease to exist on January 15, 2018.

9       (g) Reimbursement. For attendance at meetings during adjournment of the  
10       General Assembly, members of the Committee shall be entitled to per diem  
11       compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406.

12       Sec. 2. EFFECTIVE DATE

13       This act shall take effect on passage.

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18       (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

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FOR THE COMMITTEE