

1 H.820

2 Introduced by Representatives Lippert of Hinesburg, Briglin of Thetford,
3 Christensen of Weathersfield, Christie of Hartford, Cina of
4 Burlington, Copeland-Hanzas of Bradford, Donahue of
5 Northfield, Dunn of Essex, Gonzalez of Winooski, Houghton of
6 Essex, Morris of Bennington, and Pugh of South Burlington

7 Referred to Committee on

8 Date:

9 Subject: Crimes; breach of the peace; unauthorized recording at a peer support
10 group

11 Statement of purpose of bill as introduced: This bill proposes to prohibit
12 photographing, filming, or recording a person at a peer support group without
13 that person's consent.

14 An act relating to requiring consent to photograph, film, or record at a peer
15 support group meeting

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

17 Sec. 1. 13 V.S.A. § 1032 is added to read:

18 § 1032. RECORDING AT A PEER SUPPORT GROUP WITHOUT
19 CONSENT

20 (a) As used in this section:

1 (1) “Disclose” includes transfer, publish, distribute, exhibit, or
2 reproduce.

3 (2) “Harm” means physical injury, financial injury, or serious emotional
4 distress.

5 (3) “Peer support group” means a group of people with common
6 experiences and concerns who provide emotional and moral support for one
7 another.

8 (b) A person shall not knowingly photograph, film, or record in any format
9 another person at a peer support group without that person’s consent. A person
10 who violates this subsection shall be assessed a civil penalty of not more than
11 \$500.00.

12 (c) A person shall not knowingly disclose a photograph, film, or recording
13 made in violation of subsection (b) of this section. A person who violates this
14 subsection shall be imprisoned not more than one year or fined not more than
15 \$1,000.00, or both.

16 (d)(1) A plaintiff shall have a private cause of action against a defendant
17 who violates subsection (c) of this section if the disclosure causes the plaintiff
18 harm.

19 (2) In addition to any other relief available at law, the court may order
20 equitable relief, including a temporary restraining order, a preliminary
21 injunction, or a permanent injunction ordering the defendant to cease display

1 or disclosure of the recording. The court may grant injunctive relief
2 maintaining the confidentiality of a plaintiff using a pseudonym.

3 Sec. 2. EFFECTIVE DATE

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