

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred House Bill No. 27
3 entitled “An act relating to eliminating the statute of limitations on
4 prosecutions for sexual assault” respectfully reports that it has considered the
5 same and recommends that the report of the Committee on Judiciary be
6 amended as follows:

7 First: In Sec. 1, adding 13 V.S.A. § 1386 (employment agreements), after
8 the words “prospective employers”, by inserting the phrase “or responsible
9 licensing entities”.

10 Second: In Sec. 2, amending 16 V.S.A. § 253 (confidentiality of records),
11 in the first sentence of subsection (c), after the words “prospective employers”,
12 by inserting the phrase “or responsible licensing entities”.

13 Third: By adding a new section, to be Sec. 4, to read:

14 Sec. 4. 21 V.S.A. § 306 is amended to read:

15 § 306. PUBLIC POLICY OF THE STATE OF VERMONT; EMPLOYMENT

16 SEPARATION AGREEMENTS

17 In support of the State’s fundamental interest in protecting the safety of
18 minors and vulnerable adults, as defined in 33 V.S.A. § 6902, it is the policy of
19 the State of Vermont that no confidential employment separation agreement
20 shall inhibit the disclosure to prospective employers or responsible licensing
21 entities of factual information about a prospective employee’s background that

1 would lead a reasonable person to conclude that the prospective employee has
2 engaged in conduct jeopardizing the safety of a minor or vulnerable adult.
3 Any provision in an agreement entered into on or after the effective date of this
4 section that attempts to do so is void and unenforceable.
5 and by renumbering the remaining section to be numerically correct.

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9 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE