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H.493

Introduced by Representatives Leffler of Enosburgh, Batchelor of Derby,
Burditt of West Rutland, Carroll of Bennington, Fagan of
Rutland City, Fegard of Berkshire, Graham of Williamstown,
Higley of Lowell, Page of Newport City, Seymour of Sutton,
Toof of St. Albans Town, and White of Hartford

Referred to Committee on

Date:

Subject: Criminal procedures; electronic communications privacy; prohibition
on assistance to federal agencies

Statement of purpose of bill as introduced: This bill proposes to prohibit
Vermont government entities and law enforcement officers from assisting the
federal government with collecting private electronic communications data
unless a warrant is obtained or the person who made the communication
consents.

An act relating to prohibiting Vermont agencies from assisting the federal
government in the collection of private electronic communications data

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

2 Sec. 1. 13 V.S.A. § 8109 is added to read:

3 § 8109. ASSISTANCE TO FEDERAL AGENCIES PROHIBITED

4 (a) Except as provided in subsection (b) of this section, a government entity
5 or law enforcement officer shall not assist, participate with, or provide material
6 support or resources to enable or facilitate a federal agency in the collection of
7 a person's protected user information.

8 (b) Subsection (a) of this section shall not apply if the user information is
9 collected:

10 (1) pursuant to a warrant that complies with the requirements of
11 subsection 8102(d) of this title;

12 (2) pursuant to a judicially recognized exception to the warrant
13 requirement; or

14 (3) with the person's specific consent.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.