

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 7
3 entitled “An act relating to second degree aggravated domestic assault”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 13 V.S.A. § 1044 is amended to read:

8 § 1044. SECOND DEGREE AGGRAVATED DOMESTIC ASSAULT

9 (a) A person commits the crime of second degree aggravated domestic
10 assault if the person:

11 (1) Commits the crime of domestic assault and such conduct violates:

12 (A) specific conditions of a criminal court order in effect at the time
13 of the offense imposed to protect that other person;

14 (B) a final abuse prevention order issued under 15 V.S.A. § 1103 or a
15 similar order issued in another jurisdiction;

16 (C) a final order against stalking or sexual assault issued under
17 12 V.S.A. § 5133 or a similar order issued in another jurisdiction; or

18 (D) a final order against abuse of a vulnerable adult issued under
19 33 V.S.A. § 6935 or a similar order issued in another jurisdiction.

20 (2) Commits the crime of domestic assault; and

1 (A) has a prior conviction within the last 10 years for violating an
2 abuse prevention order issued under section 1030 of this title; or

3 (B) has a prior conviction for domestic assault under section 1042 of
4 this title or for an offense that, if committed within the State, would constitute
5 a violation of section 1042 of this title.

6 (3) For the purpose of this subsection, the term “issued in another
7 jurisdiction” means issued by a court in any other state; in a federally
8 recognized Indian tribe, territory, or possession of the United States; in the
9 Commonwealth of Puerto Rico; or in the District of Columbia.

10 (b) A person who commits the crime of second degree aggravated domestic
11 assault shall be imprisoned not more than five years or fined not more than
12 \$10,000.00, or both.

13 * * *

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on passage.

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18 (Committee vote: _____)

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Representative _____

FOR THE COMMITTEE