

1 H.580

2 Representative LaLonde of South Burlington moves that the bill be
3 amended by striking out all after the enacting clause and inserting in lieu
4 thereof the following:

5 Sec. 1. 13 V.S.A. chapter 2 is added to read:

6 CHAPTER 2. CLASSIFICATION OF CRIMINAL OFFENSES

7 § 51. CLASSIFICATION OF OFFENSES

8 (a) All felonies shall be classified as follows: Class A; Class B; Class C;
9 Class D; and Class E.

10 (b) All misdemeanors shall be classified as follows: Class A; Class B;
11 Class C; Class D; and Class E.

12 (c) Except as otherwise provided by law, for all offenses the court may
13 impose a sentence of imprisonment or a fine, or both.

14 § 52. SENTENCES OF IMPRISONMENT

15 (a) The maximum term of imprisonment for a felony shall be as follows:

16 (1) Class A: life imprisonment.

17 (2) Class B: imprisonment for ~~25~~ 20 years.

18 (3) Class C: imprisonment for 10 years.

19 (4) Class D: imprisonment for five years.

20 (5) Class E: imprisonment for three years.

1 (b) The maximum term of imprisonment for a misdemeanor shall be as

2 follows:

3 (1) Class A: imprisonment for two years.

4 (2) Class B: imprisonment for one year.

5 (3) Class C: imprisonment for six months.

6 (4) Class D: imprisonment for 30 days.

7 (5) Class E: no term of imprisonment.

8 (c) The minimum term of imprisonment for a felony or a misdemeanor

9 shall be as provided by law.

10 (d) Any statutory or mandatory minimum or maximum term of

11 imprisonment for a felony or a misdemeanor shall be as provided by law.

12 § 53. FINES

13 (a) Unless otherwise provided by law, the maximum fine for a felony shall

14 be as follows:

15 (1) Class A: \$500,000.00.

16 (2) Class B: \$250,000.00.

17 (3) Class C: \$50,000.00.

18 (4) Class D: \$25,000.00.

19 (5) Class E: \$15,000.00.

20 (b) Unless otherwise provided by law, the maximum fine for a

21 misdemeanor shall be as follows:

1 (1) Class A: \$10,000.00.

2 (2) Class B: \$5,000.00.

3 (3) Class C: \$2,500.00.

4 (4) Class D: ~~\$1,000.00~~ \$500.00.

5 (5) Class E: \$250.00.

6 ~~§ 54. TRANSITIONAL PROVISIONS~~

7 ~~(a) Unless otherwise provided by law, criminal offenses shall be classified~~
8 ~~according to each offense's statutory maximum penalty. Criminal offenses~~
9 ~~shall be classified as follows:~~

10 ~~(1) Felonies:~~

11 ~~(A) All felonies punishable by a maximum term of life imprisonment~~
12 ~~shall be Class A felonies.~~

13 ~~(B) All felonies punishable by a maximum term of 20 years or more~~
14 ~~but less than life shall be Class B felonies.~~

15 ~~(C) All felonies punishable by a maximum term of 10 years or more~~
16 ~~but less than 20 years shall be Class C felonies.~~

17 ~~(D) All felonies punishable by a maximum term of five years or more~~
18 ~~but less than ten years shall be Class D felonies.~~

19 ~~(E) All felonies punishable by a maximum term of less than five~~
20 ~~years shall be Class E felonies.~~

21 ~~(2) Misdemeanors:~~

1 ~~(A) All misdemeanors punishable by a maximum term of~~
2 ~~imprisonment of two years shall be Class A misdemeanors.~~

3 ~~(B) All misdemeanors punishable by a maximum term of~~
4 ~~imprisonment of one year or more but less than two years shall be Class B~~
5 ~~misdemeanors.~~

6 ~~(C) All misdemeanors punishable by a maximum term of~~
7 ~~imprisonment of six months or more but less than one year shall be Class C~~
8 ~~misdemeanors.~~

9 ~~(D) All misdemeanors punishable by a maximum term of~~
10 ~~imprisonment of 30 days or more but less than six months shall be Class D~~
11 ~~misdemeanors.~~

12 ~~(E) All misdemeanors punishable by a fine and no term of~~
13 ~~imprisonment or a maximum term of imprisonment of less than 30 days shall~~
14 ~~be Class E misdemeanors.~~

15 Sec. 2. 13 V.S.A. § 9 is amended to read:

16 § 9. ATTEMPTS

17 (a) A person who attempts to commit an offense and does an act toward the
18 commission thereof, but by reason of being interrupted or prevented fails in the
19 execution of the same, shall be punished as herein provided unless other
20 express provision is made by law for the punishment of the attempt. If the
21 offense attempted to be committed is murder, aggravated murder, kidnapping,

1 arson causing death, human trafficking, aggravated human trafficking,
2 aggravated sexual assault, or sexual assault, a person shall be punished as the
3 offense attempted to be committed is by law punishable.

4 (b) If the offense attempted to be committed is a felony other than those set
5 forth in subsection (a) of this section, a person shall be punished by the less
6 severe of the following punishments:

7 (1) ~~imprisonment for not more than 10 years or fined not more than~~
8 ~~\$10,000.00, or both~~ as a Class C felony; or

9 (2) as the offense attempted to be committed is by law punishable.

10 (c) If the offense attempted to be committed is a misdemeanor, a person
11 shall be ~~imprisoned or fined, or both, in an amount not to exceed one half the~~
12 ~~maximum penalty for which~~ subject to the punishment applicable to the
13 misdemeanor that is one class level lower than the offense so attempted to be
14 committed is by law punishable.

15 **Sec. 3. TRANSITIONAL PROVISION**

16 Until the General Assembly passes legislation classifying an offense as a
17 Class A, B, C, D, or E felony, or a Class A, B, C, D, or E misdemeanor, the
18 penalty for the offense shall be the penalty in effect on July 1, 2020, or, if the

1 penalty is amended by a subsequent act of the General Assembly, the penalty
2 in effect on the effective date of the subsequent act.

3 Sec. 4. EFFECTIVE DATE

4 This act shall take effect on July 1, 2021.

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