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H.580

Introduced by Representatives LaLonde of South Burlington and Grad of
Moretown

Referred to Committee on

Date:

Subject: Court procedure; classification of criminal offenses

Statement of purpose of bill as introduced: This bill proposes to establish a
classification system for criminal offenses.

An act relating to establishing a classification system for criminal offenses

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

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

CHAPTER 2. CLASSIFICATION OF CRIMINAL OFFENSES

§ 51. CLASSIFICATION OF OFFENSES

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

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

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

1 § 52. SENTENCES OF IMPRISONMENT

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

3 (1) Class A: life imprisonment.

4 (2) Class B: imprisonment for 25 years.

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

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

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

8 (b) The maximum term of imprisonment for a misdemeanor shall be as
9 follows:

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

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

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

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

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

15 (c) The minimum term of imprisonment for a felony or a misdemeanor
16 shall be as provided by law.

17 (d) Any statutory or mandatory minimum or maximum term of
18 imprisonment for a felony or a misdemeanor shall be as provided by law.

19 § 53. FINES

20 (a) Unless otherwise provided by law, the maximum fine for a felony shall
21 be as follows:

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

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

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

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

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

6 (b) Unless otherwise provided by law, the maximum fine for a
7 misdemeanor shall be as follows:

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

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

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

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

12 (5) Class E: \$250.00.

13 § 54. TRANSITIONAL PROVISIONS

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

17 (1) Felonies.

18 (A) All felonies punishable by a maximum term of life imprisonment
19 shall be Class A felonies.

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

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

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

5 (E) All felonies punishable by a maximum term of less than five
6 years shall be Class E felonies.

7 (2) Misdemeanors.

8 (A) All misdemeanors punishable by a maximum term of
9 imprisonment of two years shall be Class A misdemeanors.

10 (B) All misdemeanors punishable by a maximum term of
11 imprisonment of one year or more but less than two years shall be Class B
12 misdemeanors.

13 (C) All misdemeanors punishable by a maximum term of
14 imprisonment of six months or more but less than one year shall be Class C
15 misdemeanors.

16 (D) All misdemeanors punishable by a maximum term of
17 imprisonment of 30 days or more but less than six months shall be Class D
18 misdemeanors.

19 (E) All misdemeanors punishable by a fine and no term of
20 imprisonment or a maximum term of imprisonment of less than 30 days shall
21 be Class E misdemeanors.

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

2 § 9. ATTEMPTS

3 (a) A person who attempts to commit an offense and does an act toward the
4 commission thereof, but by reason of being interrupted or prevented fails in the
5 execution of the same, shall be punished as herein provided unless other
6 express provision is made by law for the punishment of the attempt. If the
7 offense attempted to be committed is murder, aggravated murder, kidnapping,
8 arson causing death, human trafficking, aggravated human trafficking,
9 aggravated sexual assault, or sexual assault, a person shall be punished as the
10 offense attempted to be committed is by law punishable.

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

14 (1) ~~imprisonment for not more than 10 years or fined not more than~~
15 ~~\$10,000.00, or both~~ as a Class C felony; or

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

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

1 Sec. 3. EFFECTIVE DATE

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