TO THE HOUSE OF REPRESENTATIVES:

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

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

§ 1044. SECOND DEGREE AGGRAVATED DOMESTIC ASSAULT

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

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

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

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

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

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

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

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

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

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

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Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(Committee vote: ____________)

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Representative ____________

FOR THE COMMITTEE