

1 SPECIAL SESSION

2 S.1

3 Introduced by Senator White

4 Referred to Committee on

5 Date:

6 Subject: Municipal and county government; municipal police powers;

7 temporary provisions

8 Statement of purpose of bill as introduced: This bill proposes to authorize the  
9 legislative body of a municipality to adopt a temporary rule requiring  
10 individuals to wear face coverings while indoors at locations open to the  
11 public, provided that:

12 (1) the municipal rule shall not apply to school buildings or school  
13 property, which shall remain under the authority of the school board;

14 (2) the legislative body of the municipality shall meet at minimum once  
15 every 45 days to reconsider and vote to either rescind or extend the rule for the  
16 ensuing 45 days; and

17 (3) any municipal rule adopted pursuant to this act shall expire on  
18 April 30, 2022.

19 An act relating to temporary municipal rules in response to COVID-19

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

2 Sec. 1. MUNICIPAL REGULATORY AUTHORITY; TEMPORARY  
3 AUTHORITY TO ADOPT RULES REQUIRING FACE  
4 COVERINGS

5 (a) As used in this section, “municipality” means a city, town, or  
6 incorporated village.

7 (b) For the purpose of COVID-19 prevention and mitigation, the legislative  
8 body of a municipality shall have the authority to adopt a temporary rule  
9 requiring individuals to wear face coverings while indoors at locations that are  
10 open to the public. A rule adopted pursuant to this section shall not apply to  
11 school buildings or school property, which shall remain under the authority of  
12 the school board.

13 (c)(1) The legislative body of a municipality shall adopt a rule authorized  
14 by this section at a regular or special meeting of the legislative body warned  
15 for that purpose.

16 (2) Notwithstanding 24 V.S.A. §§ 1972 and 1973 or any municipal  
17 charter provision to the contrary, a rule adopted pursuant to this section shall  
18 take effect upon adoption and shall not be subject to a petition for permissive  
19 referendum.

20 ~~(d) The legislative body of a municipality shall meet at minimum once~~  
21 ~~every 45 days to reconsider any rule adopted pursuant to this section. At the~~

1 ~~meeting, the legislative body shall vote to either rescind or extend the rule for~~  
2 ~~the ensuing 45-day period.~~

*(d) A rule adopted pursuant to this section shall remain in effect for not more than 45 days following its initial adoption. The legislative body of a municipality that adopted a rule pursuant to this section shall meet during the period in which the initial rule is in effect and vote either to rescind the rule or to extend the rule for an additional 30 days. Thereafter, the legislative body shall meet at a minimum once every 30 days to reconsider the rule, at which meeting the legislative body shall vote either to rescind the rule or to extend the rule for an additional 30-day period.*

3 (e) The authority granted by this section shall expire on April 30, 2022,  
4 and any municipal face covering rule in effect on that date shall be repealed.

5 Sec. 2. EFFECTIVE DATE

6 This act shall take effect on passage.