
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 68 (H.183). Crimes and criminal procedures; sexual assault

An act relating to sexual violence

This act makes several changes to the sexual assault laws, primarily focused on consent; requires collection and reporting of data regarding sexual violence; and establishes the Intercollegiate Sexual Harm Prevention Council.

Statutory amendments to the sexual assault laws include new definitions of “consent” and “incapable of consenting” and a clarification that a person who is asleep, unconscious, or substantially impaired by intoxicants cannot consent to sexual activity.

On or before September 1, 2024, and biannually thereafter, the Department of Public Safety is required to provide a statistical report to the General Assembly based on data from the National Incident Based Reporting System and the Vermont Judiciary on the number of sexual violence cases reported to law enforcement, the number of cases referred to prosecutors, the number of cases charged, and the disposition of such cases.

The Intercollegiate Sexual Harm Prevention Council is established for the purpose of creating a coordinated response to campus sexual harm across institutions of higher learning in Vermont. The Council is directed to continue the work of the legislatively created Vermont Campus Sexual Harm Task Force that sunset in 2020. The Council is to submit a written report to the General Assembly with a summary of activities and any recommendations for legislative action on or before December 1, 2022, and annually thereafter. The Council sunsets on July 1, 2025.

Multiple effective dates, beginning on June 8, 2021