

1  
2  
3  
4  
5  
6  
7  
8  
9  
  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

H.475

Introduced by Representatives Grad of Moretown, LaLonde of South  
Burlington, and Notte of Rutland City

Referred to Committee on

Date:

Subject: Criminal procedure; classification of criminal offenses

Statement of purpose of bill as introduced: This bill proposes to place offenses  
against the person, sexual offenses, and drug offenses within the classification  
system for criminal offenses.

An act relating to the classification system for criminal offenses

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

Sec. 1. 13 V.S.A. § 1023 is amended to read:

§ 1023. SIMPLE ASSAULT

(a) A person is guilty of simple assault if he or she:

(1) attempts to cause or purposely, knowingly, or recklessly causes

bodily injury to another; ~~or~~

(2) negligently causes bodily injury to another with a deadly weapon; or

(3) attempts by physical menace to put another in fear of imminent

serious bodily injury.

1 (b) A person who is convicted of simple assault ~~shall be imprisoned for not~~  
2 ~~more than one year or fined not more than \$1,000.00, or both~~ commits a Class  
3 B misdemeanor, (1 year, \$2,500) unless the offense is committed in a fight or  
4 scuffle entered into by mutual consent, in which case a person convicted of  
5 simple assault ~~shall be imprisoned not more than 60 days or fined not more~~  
6 ~~than \$500.00, or both~~ commits a Class D misdemeanor. (30 days, \$500)

7 Sec. 2. 13 V.S.A. § 1024 is amended to read:

8 § 1024. AGGRAVATED ASSAULT

9 (a) A person is guilty of aggravated assault if the person:

10 (1) attempts to cause serious bodily injury to another, or causes such  
11 injury purposely, knowingly, or recklessly under circumstances manifesting  
12 extreme indifference to the value of human life;

13 (2) attempts to cause or purposely or knowingly causes bodily injury to  
14 another with a deadly weapon;

15 (3) for a purpose other than lawful medical or therapeutic treatment, the  
16 person intentionally causes stupor, unconsciousness, or other physical or  
17 mental impairment or injury to another person by administering to the other  
18 person without the other person's consent a drug, substance, or preparation  
19 capable of producing the intended harm;

20 (4) with intent to prevent a law enforcement officer from performing a  
21 lawful duty, the person causes physical injury to any person; or

1 (5) is armed with a deadly weapon and threatens to use the deadly  
2 weapon on another person.

3 (b) A person found guilty of violating a provision of subdivision (a)(1) or  
4 (2) of this section ~~shall be imprisoned for not more than 15 years or fined not~~  
5 ~~more than \$10,000.00, or both~~ commits a Class C felony. (10 years, \$25,000)

6 (c) A person found guilty of violating a provision of subdivision (a)(3), (4),  
7 or (5) of this section ~~shall be imprisoned for not more than five years or fined~~  
8 ~~not more than \$5,000.00, or both~~ commits a Class D felony. (5 years, \$10,000)

9 \* \* \*

10 Sec. 3. 13 V.S.A. § 1026 is amended to read:

11 § 1026. DISORDERLY CONDUCT

12 (a) A person is guilty of disorderly conduct if ~~he or she~~ the person, with  
13 intent to cause public inconvenience or annoyance, or recklessly creates a risk  
14 thereof:

15 (1) engages in fighting or in violent, tumultuous, or threatening

16 behavior;

17 (2) makes unreasonable noise;

18 (3) in a public place, uses abusive or obscene language;

19 (4) without lawful authority, disturbs any lawful assembly or meeting of

20 persons; or

21 (5) obstructs vehicular or pedestrian traffic.

1 (b) A person who is convicted of disorderly conduct ~~shall be imprisoned~~  
2 ~~for not more than 60 days or fined not more than \$500.00, or both. A person~~  
3 ~~who is convicted of a second or subsequent offense under this section shall be~~  
4 ~~imprisoned for not more than 120 days or fined not more than \$1,000.00, or~~  
5 ~~both~~ commits a Class D misdemeanor. (30 days, \$500)

6 Sec. 4. 13 V.S.A. § 1026a is amended to read:

7 § 1026a. AGGRAVATED DISORDERLY CONDUCT

8 (a) A person is guilty of aggravated disorderly conduct if he or she engages  
9 in a course of conduct directed at a specific person with the intent to cause the  
10 person inconvenience or annoyance, or to disturb the person's peace, quiet, or  
11 right of privacy and:

12 (1) engages in fighting or in violent, tumultuous, or threatening  
13 behavior;

14 (2) makes unreasonable noise;

15 (3) in a public place, uses abusive or obscene language; or

16 (4) threatens bodily injury or serious bodily injury, or threatens to  
17 commit a felony crime of violence as defined in section 11a of this title.

18 (b) A person who is convicted of aggravated disorderly conduct ~~shall be~~  
19 ~~imprisoned not more than 180 days or fined not more than \$2,000.00, or both~~  
20 commits a Class C misdemeanor. (6 months, \$1,000)

1 Sec. 5. 13 V.S.A. § 1027 is amended to read:

2 § 1027. DISTURBING PEACE BY USE OF TELEPHONE OR OTHER  
3 ELECTRONIC COMMUNICATIONS

4 (a) A person who, with intent to terrify, intimidate, threaten, harass, or  
5 annoy, makes contact by means of a telephonic or other electronic  
6 communication with another and makes any request, suggestion, or proposal  
7 that is obscene, lewd, lascivious, or indecent; threatens to inflict injury or  
8 physical harm to the person or property of any person; or disturbs, or attempts  
9 to disturb, by repeated telephone calls or other electronic communications,  
10 whether or not conversation ensues, the peace, quiet, or right of privacy of any  
11 person at the place where the communication or communications are received  
12 ~~shall be fined not more than \$250.00 or be imprisoned not more than three~~  
13 ~~months, or both. If the defendant has previously been convicted of a violation~~  
14 ~~of this section or of an offense under the laws of another state or of the United~~  
15 ~~States that would have been an offense under this section if committed in this~~  
16 ~~State, the defendant shall be fined not more than \$500.00 or imprisoned for not~~  
17 ~~more than six months, or both~~ commits a Class D misdemeanor. (30 days,  
18 \$500)

19 \* \* \*

1 Sec. 6. 13 V.S.A. § 1028 is amended to read:

2 § 1028. ASSAULT OF PROTECTED PROFESSIONAL; ASSAULT WITH  
3 BODILY FLUIDS

4 (a) A person convicted of a simple or aggravated assault against a protected  
5 professional as defined in subdivision (d)(1) of this section while the protected  
6 professional is performing a lawful duty, or with the intent to prevent the  
7 protected professional from performing ~~his or her~~ the professional's lawful  
8 duty, in addition to any other penalties imposed under sections 1023 and 1024  
9 of this title, ~~shall~~:

10 (1) for the first offense, ~~be imprisoned not more than one year~~ commits  
11 a Class B misdemeanor; (1 year, \$2,500)

12 (2) for the second offense and subsequent offenses, ~~be imprisoned not~~  
13 ~~more than 10 years~~ commits a Class E felony. (3 years, \$7,500)

14 (b)(1) No person shall intentionally cause blood, vomitus, excrement,  
15 mucus, saliva, semen, or urine to come in contact with a protected professional  
16 while the person is performing a lawful duty.

17 (2) A person who violates this subsection ~~shall be imprisoned not more~~  
18 ~~than one year or fined not more than \$1,000.00, or both~~ commits a Class B  
19 misdemeanor. (1 year, \$2,500)

20 \* \* \*

1 Sec. 7. 13 V.S.A. § 1028a is amended to read:

2 § 1028a. ASSAULT OF CORRECTIONAL OFFICER; ASSAULT WITH  
3 BODILY FLUIDS

4 (a) A person convicted of a simple or aggravated assault against an  
5 employee of the Department of Corrections whose official duties or job  
6 classification includes the supervision or monitoring of a person on parole,  
7 probation, or serving any sentence of incarceration whether inside or outside a  
8 correctional facility, and who was performing a lawful duty, in addition to any  
9 other penalties imposed under sections 1023 and 1024 of this title, ~~shall:~~

10 (1) for the first offense, ~~be imprisoned not more than one year~~ commits  
11 a Class B misdemeanor; (1 year, \$2,500) and

12 (2) for the second offense and subsequent offenses, ~~be imprisoned not~~  
13 ~~more than 10 years~~ commits a Class E felony. (3 years, \$7,500)

14 (b) No person shall intentionally cause blood, vomitus, excrement, mucus,  
15 saliva, semen, or urine to come in contact with:

16 (1) any person lawfully present in a correctional facility unless the  
17 person's presence within the facility requires the contact; or

18 (2) an employee of a correctional facility acting in the scope of  
19 employment unless the employee's scope of employment requires the contact.

1 (c) A person who violates subsection (b) of this section ~~shall be imprisoned~~  
2 ~~not more than two years or fined not more than \$1,000.00, or both~~ commits a  
3 Class B misdemeanor. (1 year, \$2,500)

4 (d) A sentence imposed for a conviction of this section shall be served  
5 consecutively with and not concurrently with any other sentence.

6 Sec. 8. 13 V.S.A. § 1030 is amended to read:

7 § 1030. VIOLATION OF AN ABUSE PREVENTION ORDER, AN ORDER  
8 AGAINST STALKING OR SEXUAL ASSAULT, OR A  
9 PROTECTIVE ORDER CONCERNING CONTACT WITH A  
10 CHILD

11 (a) A person who intentionally commits an act prohibited by a court or who  
12 fails to perform an act ordered by a court, in violation of an abuse prevention  
13 order issued under 15 V.S.A. chapter 21 or 33 V.S.A. chapter 69, a protective  
14 order that concerns contact with a child and is issued under 33 V.S.A.  
15 chapter 51, or an order against stalking or sexual assault issued under  
16 12 V.S.A. chapter 178, after the person has been served notice of the contents  
17 of the order as provided in those chapters; or in violation of a foreign abuse  
18 prevention order or an order against stalking or sexual assault issued by a court  
19 in any other state, federally recognized Indian tribe, territory or possession of  
20 the United States, the Commonwealth of Puerto Rico, or the District of



1 Columbia ~~shall be imprisoned not more than one year or fined not more than~~  
2 ~~\$5,000.00, or both~~ commits a Class B misdemeanor. (1 year, \$2,500)

3 (b) A person who is convicted of a second or subsequent offense under this  
4 section or is convicted of an offense under this section and has previously been  
5 convicted of domestic assault under section 1042 of this title, first degree  
6 aggravated domestic assault under section 1043 of this title, or second degree  
7 aggravated domestic assault under section 1044 of this title ~~shall be imprisoned~~  
8 ~~not more than three years or fined not more than \$25,000.00, or both~~ commits  
9 a Class E felony. (3 years, \$7,500)

10 \* \* \*

11 Sec. 9. 13 V.S.A. § 1031 is amended to read:

12 § 1031. INTERFERENCE WITH ACCESS TO EMERGENCY SERVICES

13 A person who, during or after the commission of a crime, willfully prevents  
14 or attempts to prevent a person from seeking or receiving emergency medical  
15 assistance, emergency assistance from a third party, or emergency assistance  
16 from law enforcement ~~shall be imprisoned not more than one year or fined not~~  
17 ~~more than \$5,000.00, or both~~ commits a Class B misdemeanor. (1 year,  
18 \$2,500)

19 Sec. 10. 13 V.S.A. § 1042 is amended to read:

20 § 1042. DOMESTIC ASSAULT

1 Any person who attempts to cause or willfully or recklessly causes bodily  
2 injury to a family or household member or willfully causes a family or  
3 household member to fear imminent serious bodily injury ~~shall be imprisoned~~  
4 ~~not more than 18 months or fined not more than \$5,000.00, or both~~ commits a  
5 Class A misdemeanor. (2 years, \$5,000)

6 Sec. 11. 13 V.S.A. § 1043 is amended to read:

7 § 1043. FIRST DEGREE AGGRAVATED DOMESTIC ASSAULT

8 (a) A person commits the crime of first degree aggravated domestic assault  
9 if the person:

10 (1) attempts to cause or willfully or recklessly causes serious bodily  
11 injury to a family or household member; ~~or~~

12 (2) uses, attempts to use, or is armed with a deadly weapon and  
13 threatens to use the deadly weapon on a family or household member; or

14 (3) commits the crime of domestic assault and has been previously  
15 convicted of aggravated domestic assault.

16 (b) ~~A Notwithstanding section 54 of this title, a person who commits the~~  
17 ~~crime of first degree aggravated domestic assault shall be imprisoned not more~~  
18 ~~than 15 years or fined not more than \$25,000.00, or both.~~ (No change)

19 (c) Conduct constituting the offense of first degree aggravated domestic  
20 assault under this section shall be considered a violent act for the purpose of  
21 determining bail.

1 Sec. 12. 13 V.S.A. § 1044 is amended to read:

2 § 1044. SECOND DEGREE AGGRAVATED DOMESTIC ASSAULT

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

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

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

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

10 (C) a final order against stalking or sexual assault issued under  
11 12 V.S.A. § 5133 or a similar order issued in another jurisdiction; or

12 (D) a final order against abuse of a vulnerable adult issued under  
13 33 V.S.A. § 6935 or a similar order issued in another jurisdiction.

14 (2) Commits the crime of domestic assault; and:

15 (A) has a prior conviction within the last 10 years for violating an  
16 abuse prevention order issued under section 1030 of this title; or

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

21 (3) As used in this subsection:

1 (A) “Issued in another jurisdiction” means issued by a court in any  
2 other state; in a federally recognized Indian tribe, territory, or possession of the  
3 United States; in the Commonwealth of Puerto Rico; or in the District of  
4 Columbia.

5 (B) “Prior conviction in another jurisdiction” means a conviction  
6 issued by a court in any other state; in a federally recognized Indian tribe,  
7 territory, or possession of the United States; in the Commonwealth of Puerto  
8 Rico; or in the District of Columbia.

9 (b) A person who commits the crime of second degree aggravated domestic  
10 assault ~~shall be imprisoned not more than five years or fined not more than~~  
11 ~~\$10,000.00, or both~~ commits a Class D felony. (5 years, \$10,000)

12 \* \* \*

13 Sec. 13. 13 V.S.A. § 1062 is amended to read:

14 § 1062. STALKING

15 Any person who intentionally stalks another person ~~shall be imprisoned not~~  
16 ~~more than two years or fined not more than \$5,000.00, or both~~ commits a Class  
17 A misdemeanor. (2 years, \$5,000)

18 Sec. 14 13 V.S.A. § 1063 is amended to read:

19 § 1063. AGGRAVATED STALKING

20 (a) A person commits the crime of aggravated stalking if the person  
21 intentionally stalks another person, and:

- 1 (1) such conduct violates a court order that prohibits stalking and is in  
2 effect at the time of the offense;
- 3 (2) has been previously convicted of stalking or aggravated stalking;
- 4 (3) has been previously convicted of an offense an element of which  
5 involves an act of violence against the same person;
- 6 (4) the person being stalked is under 16 years of age; or
- 7 (5) had a deadly weapon, as defined in section 1021 of this title, in ~~his or~~  
8 her the person's possession while engaged in the act of stalking.

9 (b) A person who commits the crime of aggravated stalking ~~shall be~~  
10 ~~imprisoned not more than five years or be fined not more than \$25,000.00, or~~  
11 ~~both~~ commits a Class D felony. (5 years, \$10,000)

12 \* \* \*

13 Sec. 15. 13 V.S.A. § 1201 is amended to read:

14 § 1201. BURGLARY

15 (a) A person is guilty of burglary if ~~he or she~~ the person enters any building  
16 or structure knowing that ~~he or she~~ the person is not licensed or privileged to  
17 do so, with the intent to commit a felony, petit larceny, simple assault, or  
18 unlawful mischief. This provision shall not apply to a licensed or privileged  
19 entry, or to an entry that takes place while the premises are open to the public,  
20 unless the person, with the intent to commit a crime specified in this

1 subsection, surreptitiously remains in the building or structure after the license  
2 or privilege expires or after the premises no longer are open to the public.

3 (b) As used in this section:

4 (1) "Building," "premises," and "structure" shall, in addition to their  
5 common meanings, include and mean any portion of a building, structure, or  
6 premises that differs from one or more other portions of such building,  
7 structure, or premises with respect to license or privilege to enter, or to being  
8 open to the public.

9 (2) "Occupied dwelling" means a building used as a residence, either  
10 full time or part time, regardless of whether someone is actually present in the  
11 building at the time of entry.

12 (c)(1) A person convicted of burglary ~~shall be imprisoned not more than 15~~  
13 ~~years or fined not more than \$1,000.00, or both~~ commits a Class C felony. (10  
14 years, \$25,000)

15 (2) A person convicted of burglary and who carries a dangerous or  
16 deadly weapon, openly or concealed, shall, in addition to the penalty for the  
17 underlying crime, be imprisoned not more than ~~20~~ 5 years ~~or fined not more~~  
18 ~~than \$10,000.00, or both.~~ (15 years, \$25,000)

19 (3) A person convicted of burglary into an occupied dwelling:

20 (A) ~~shall be imprisoned not more than 25 years or fined not more~~  
21 ~~than \$1,000.00, or both; or~~



1 (b) Kidnapping is ~~punishable by a maximum sentence of life imprisonment~~  
2 ~~or a fine of not more than \$50,000.00, or both a Class A felony.~~ (Life,  
3 \$100,000) It is, however, an affirmative defense ~~which~~ that reduces the penalty  
4 to ~~imprisonment for not more than 30 years or a fine of not more than~~  
5 ~~\$50,000.00, or both, a Class B felony~~ (20 years, \$50,000) that the defendant  
6 voluntarily caused the release of the victim alive in a safe place before  
7 arraignment without having caused serious bodily injury to the victim.

8 Sec. 18. 13 V.S.A. § 2406 is amended to read:

9 § 2406. UNLAWFUL RESTRAINT IN THE SECOND DEGREE

10 (a) A person commits the crime of unlawful restraint in the second degree  
11 if the person:

12 (1) not being a relative of a person under ~~the age of 18~~ years of age,  
13 knowingly takes, entices, or harbors that person, without the consent of the  
14 person's custodian, knowing that he or she has no right to do so; ~~or~~

15 (2) knowingly takes or entices from lawful custody or harbors any  
16 person who is mentally incompetent, or other person entrusted by authority of  
17 law to the custody of another person or an institution, without the consent of  
18 the person or institution, knowing that he or she has no right to do so; or

19 (3) knowingly restrains another person.



1 (b) It is a defense to a prosecution under this section that the defendant  
2 acted reasonably and in good faith to protect the person from imminent  
3 physical or emotional danger.

4 (c) Unlawful restraint in the second degree is ~~punishable by imprisonment~~  
5 ~~for not more than five years or a fine of not more than \$25,000.00, or both a~~  
6 Class D felony. (5 years, \$10,000)

7 Sec. 19. 13 V.S.A. § 2407 is amended to read:

8 § 2407. UNLAWFUL RESTRAINT IN THE FIRST DEGREE

9 (a) A person commits the crime of unlawful restraint in the first degree if  
10 that person:

11 (1) knowingly restrains another person under circumstances exposing  
12 that person to a risk of serious bodily injury; or

13 (2) holds another person in a condition of involuntary servitude.

14 (b) Unlawful restraint in the first degree is ~~punishable by imprisonment for~~  
15 ~~not more than 15 years or a fine of not more than \$50,000.00, or both a Class C~~  
16 felony. (10 years, \$25,000)

17 Sec. 20. 13 V.S.A. § 2451 is amended to read:

18 § 2451. CUSTODIAL INTERFERENCE

19 (a) A person commits custodial interference by taking, enticing, or keeping  
20 a child from the child's lawful custodian, knowingly, without a legal right to

1 do so, when the person is a relative of the child and the child is less than  
2 18 years ~~old~~ of age.

3 (b) A person who commits custodial interference ~~shall be imprisoned not~~  
4 ~~more than five years or fined not more than \$5,000.00, or both~~ commits a Class  
5 D felony. (5 years, \$10,000)

6 \* \* \*

7 Sec. 21. 13 V.S.A. § 608 is amended to read:

8 § 608. ASSAULT AND ROBBERY

9 (a) A person who assaults another and robs, steals, or takes from ~~his or her~~  
10 the other person or in ~~his or her~~ the other person's presence money or other  
11 property that may be the subject of larceny ~~shall be imprisoned for not more~~  
12 ~~than 10 years~~ commits a Class C felony. (10 years, \$25,000)

13 (b) A person who, being armed with a dangerous weapon, assaults another  
14 and robs, steals, or takes from ~~his or her~~ the other person or in ~~his or her~~ the  
15 other person's presence money or other property that may be the subject of  
16 larceny shall, in addition to the penalty for the underlying crime, be imprisoned  
17 for not more than ~~15~~ 5 years nor less than one year. (15 years, \$25,000)

18 (c) If in the attempt or commission of an offense under subsection (a) or (b)  
19 of this section, a person causes bodily injury, ~~such~~ the person shall, in addition  
20 to the penalty for the underlying crime, be imprisoned for not more than ~~20~~ 5  
21 years nor less than one year. ~~Any penalty imposed under this subsection shall~~

1 ~~be in lieu of any penalty imposed under subsection (a) or (b) of this section.~~

2 (15 years, \$25,000)

3 Sec. 22. 13 V.S.A. § 2303 is amended to read:

4 § 2303. PENALTIES FOR FIRST AND SECOND DEGREE MURDER

5 (a)(1) ~~The punishment for murder~~ Murder in the first degree shall be  
6 imprisonment for:

7 (A) ~~a minimum term of not less than 35 years and a maximum term~~  
8 ~~of life; or~~

9 (B) ~~life without the possibility of parole~~ a Class A felony, subject to  
10 the provisions of subsection (b) of this section. (Life; possible life without  
11 parole; \$100,000)

12 (2) ~~The punishment for murder~~ Murder in the second degree shall be  
13 imprisonment for:

14 (A) ~~a minimum term of not less than 20 years and a maximum term~~  
15 ~~of life; or~~

16 (B) ~~life without the possibility of parole.~~

17 (3) ~~Notwithstanding any other provision of law, this subsection shall~~  
18 ~~apply only if the murder was committed on or after the effective date of this act~~  
19 a Class A felony, subject to the provisions of subsection (c) of this section.

20 (Life; \$100,000)

1 (b) The punishment for murder in the first degree shall be imprisonment for  
2 life and for a minimum term of 35 years unless a jury finds that there are  
3 aggravating or mitigating factors ~~which~~ that justify a different minimum term.  
4 If the jury finds that the aggravating factors outweigh any mitigating factors,  
5 the court may set a minimum term longer than 35 years, **up to and including**  
6 **life without parole.** If the jury finds that the mitigating factors outweigh any  
7 aggravating factors, the court may set a minimum term at less than 35 years but  
8 not less than 15 years.

9 (c) The punishment for murder in the second degree shall be imprisonment  
10 for life and for a minimum term of 20 years unless a jury finds that there are  
11 aggravating or mitigating factors ~~which~~ that justify a different minimum term.  
12 If the jury finds that the aggravating factors outweigh any mitigating factors,  
13 the court may set a minimum term longer than 20 years, **up to and including**  
14 **life without parole.** If the jury finds that the mitigating factors outweigh any  
15 aggravating factors, the court may set a minimum term at less than 20 years but  
16 not less than 10 years.

17 \* \* \*

18 Sec. 23. 13 V.S.A. § 2304 is amended to read:

19 § 2304. MANSLAUGHTER- PENALTIES

1       A person who commits manslaughter ~~shall be fined not more than~~  
2       ~~\$3,000.00 or imprisoned for not less than one year nor more than 15 years, or~~  
3       ~~both~~ commits a Class C felony. (10 years, \$25,000)

4       Sec. 24. 13 V.S.A. § 1378 is amended to read:

5       § 1378. NEGLECT

6       (a) A caregiver who intentionally or recklessly neglects a vulnerable adult  
7       ~~shall be imprisoned not more than 18 months or fined not more than~~  
8       ~~\$10,000.00, or both~~ commits a Class A misdemeanor. (2 years, \$5,000)

9       (b) A caregiver who violates subsection (a) of this section, and as a result  
10       of such neglect, serious bodily injury occurs to the vulnerable adult, ~~shall be~~  
11       ~~imprisoned not more than 15 years or fined not more than \$10,000.00, or both~~  
12       commits a Class B misdemeanor. (1 year, \$2,500)

13       Sec. 25. EFFECTIVE DATE

14       This act shall take effect on July 1, 2022.