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**Act No. 23 (S. 4). An act relating to reducing crimes of violence associated with juveniles and dangerous weapons**

**Subjects: Juvenile and criminal procedures**

This act makes several changes in law related to crimes of violence associated with juveniles and dangerous weapons. The act expands the list of “Big 12” offenses in juvenile law, which are generally required to begin in the Criminal Division, to include aggravated murder, aggravated sexual assault of a child, and an attempt to commit a Big 12 offense. For certain other offenses where the child is 16–18 years of age (felony drug sales and trafficking, human trafficking, defacing a firearm’s serial number, and straw purchasing of a firearm), the Family Division must hold a hearing to determine if the case should be transferred to the Criminal Division. The act requires the Vermont Sentencing Commission to report to the Joint Legislative Justice Oversight Committee and the Senate and House Committees on Judiciary on whether the list of Big 12 offenses should be further enlarged to include additional offenses. The act also permits the parties to stipulate that a case should be converted from a juvenile proceeding to a youthful offender proceeding and provides that a violation of conditions of release charge against a minor, which would ordinarily be brought in the Family Division, would instead be brought in the Criminal Division if the underlying case had already been transferred from the Family Division to the Criminal Division. The act makes juvenile records available to the National Instant Criminal Background Check System for purposes of conducting a background check when a person under 22 years of age purchases a firearm.

The act increases the fine for the crime of knowingly permitting a dwelling to be used for the purpose of illegally selling regulated drugs and creates a new crime prohibiting a person from knowingly permitting a dwelling to be used for the purpose of human trafficking. The act creates several Vermont criminal offenses based on offenses that already exist in federal law. These new offenses prohibit defacing a firearms serial number or possessing a firearm with a defaced serial number; “straw purchases” of firearms, which means buying a firearm for another person who is legally prohibited from having one or who intends to use it to commit a crime; and possession of firearms by fugitives from justice, persons who are subject to final relief from abuse or stalking orders that prohibit firearms possession, and persons against whom charges are pending for drug trafficking, human trafficking, or carrying a dangerous weapon while committing a felony.

The act establishes the Community Violence Prevention Program administered by the Department of Health in consultation with the Department of Public Safety, the Chief Prevention Officer, the Director of Violence Prevention, the Executive Director of Racial Equity, and the Council for Equitable Youth Justice. The Program permits Vermont municipalities and nonprofit organizations to apply for grants to fund innovative, evidence-based, and evidence-informed approaches to reducing violence and associated community harm.

The act extends the implementation date for the Raise the Age initiative, which increases the age for children to be charged as juveniles in the Family Division, from July 1, 2023 to July 1,

2024, and requires the Department for Children and Families to provide the Legislature with status reports on the program's implementation.

Effective Date: May 30, 2023