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**Act No. 161 (H.878). An act relating to miscellaneous judiciary procedures**

**Subjects: Criminal procedure; court procedure; miscellaneous amendments**

This act makes a number of changes to court and Judiciary procedures, including establishing the requirements for Judiciary-employed Court Security Officers; providing that sexual assault survivor's rights include the right to be informed of the status and location of the sexual assault evidence collection kit; repealing the Vermont statutes related to capital punishment, which have been unconstitutional and unenforceable since 1972; permitting doctoral-level psychologists with training in forensic psychology to conduct the initial examination of a criminal defendant's competency to stand trial, and allowing the psychiatrist or psychologist to testify remotely in such proceedings; increasing the amount of the surcharge for criminal and civil violations that is paid to the Victim's Compensation Special Fund and the Domestic and Sexual Violence Special Fund; requiring a power of attorney to be accepted so long as it is properly executed, whether or not the statutory form is used, and making several technical revisions to the forms; clarifying that a witness is not necessary for the execution of a power of attorney; updating archaic language to make clear that a divorcing spouse rather than the court has the authority to decide whether to resume the spouse's prior name following a divorce; making the penalty structure for using false identification to purchase tobacco products the same as the structure when a person uses false identification to purchase alcohol; repealing outdated Vermont statutes governing the transfer of Congregational Church property in Vermont and authorizing congregational churches to transfer property in the same manner as other religious corporations; clarifying that annually a new allocation of not less than \$900,000 must be made from the Justice Reinvestment II line item of the Department of Corrections' budget to support justice reinvestment initiatives for the next fiscal year; repealing the sunset on the use of gun suppressors while hunting; regulating the flying of a drone over private property without permission from the property owner; providing that, after a property transfer tax is paid on an enhanced life estate deed, a request for return of the tax may be made at any time if the deed is subsequently revoked or modified; specifying that digitally created images may be prosecuted under the "Revenge Pornography" statute when they are disclosed without the consent of the person whose image has been altered; removing nonpayment of child support as grounds for termination of parental rights; prohibiting placing a camera or other surveillance device on private property with the intent to conduct surveillance on the person or the property unless prior written consent is obtained from the property owner; and making the penalties for trafficking crack cocaine the same as those for trafficking powdered cocaine.

Effective Date: June 6, 2024