

1 H.40

2 An act relating to nonconsensual removal of or tampering with a condom

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

4 Sec. 1. 12 V.S.A. § 1043 is added to read:

5 § 1043. NONCONSENSUAL REMOVAL OF OR TAMPERING WITH A

6 CONDOM

7 (a) No person shall intentionally and without consent remove or tamper
8 with a condom prior to or during a sexual act in a manner likely to render it
9 ineffective for its common purpose when consent to the sexual act is given by
10 the other person with the explicit understanding that a condom would be used.

11 (b) A person harmed by a violation of subsection (a) of this section may
12 bring an action in the Civil Division of the Superior Court for compensatory
13 damages, punitive damages, and reasonable costs and attorney's fees.

14 (c) An action under subsection (b) of this section shall be subject to the
15 statute of limitations in section 511 of this title.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on July 1, 2024.