

1 H.40

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

3 The Senate proposes to the House to amend the bill by striking out all after
4 the enacting clause and inserting in lieu thereof the following:

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

6 § 1043. NONCONSENSUAL REMOVAL OF OR TAMPERING WITH A
7 CONDOM

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

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

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

17 Sec. 2. EFFECTIVE DATE

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