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H.223

Introduced by Representative Stebbins of Burlington

Referred to Committee on

Date:

Subject: Crimes; recklessly endangering another person

Statement of purpose of bill as introduced: This bill proposes to create a felony penalty for recklessly endangering another person. The enhanced penalty applies to an individual who discharges a firearm at, or in the direction of, another person, regardless of whether or not the person is struck.

An act relating to creating a felony penalty for recklessly endangering another person

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

Sec. 1. 13 V.S.A. § 1025 is amended to read:

§ 1025. RECKLESSLY ENDANGERING ANOTHER PERSON

(a) A person who recklessly engages in conduct ~~which~~ that places or may place another person in danger of death or serious bodily injury ~~shall be imprisoned for not more than one year or fined not more than \$1,000.00 or both~~ is guilty of recklessly endangering another person. Recklessness and danger shall be presumed where a person knowingly points a firearm at or in

1 the direction of another, whether or not the actor believed the firearm to be
2 loaded, and whether or not the firearm actually was loaded.

3 (b) A person who violates subsection (a) of this section shall be imprisoned
4 for not more than one year or fined not more than \$1,000.00, or both.

5 (c) A person who violates subsection (a) of this section by discharging a
6 firearm at or in the direction of another, whether or not the person is struck,
7 shall be imprisoned not more than two years or fined not more than \$1,000.00,
8 or both.

9 (d) As used in this section, “firearm” has the same meaning as in section
10 4016 of this title.

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on July 1, 2023.