

1 S.58

2 An act relating to public safety

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

4 \* \* \* Big 12 Juvenile Offenses \* \* \*

5 Sec. 1. 33 V.S.A. § 5201 is amended to read:

6 § 5201. COMMENCEMENT OF DELINQUENCY PROCEEDINGS

7 \* \* \*

8 (c)(1) Any proceeding concerning a child who is alleged to have committed  
9 an act specified in subsection 5204(a) of this title after attaining 14 years of  
10 age, but not 22 years of age, shall originate in the Criminal Division of the  
11 Superior Court, provided that jurisdiction may be transferred in accordance  
12 with this chapter and chapter 52A of this title, unless the State's Attorney files  
13 the charge directly as a youthful offender petition in the Family Division.

14 (2)(A) Any proceeding concerning a child who is alleged to have  
15 committed one of the following acts after attaining 14 years of age, but not  
16 22 years of age, shall originate in the Criminal Division of the Superior Court,  
17 provided that jurisdiction may be transferred in accordance with this chapter  
18 and chapter 52A of this title, unless the State's Attorney files the charge  
19 directly as a youthful offender petition in the Family Division:

20 (i) a violation of a condition of release as defined in 13 V.S.A.  
21 § 7559 imposed by the Criminal Division for any of the offenses listed in  
22 subsection 5204(a) of this title; or

1                   (ii) a violation of a condition of release as defined in 13 V.S.A.  
2                   § 7559 imposed by the Criminal Division for an offense that was transferred  
3                   from the Family Division pursuant to section 5204 of this title.

4                   (B) This subdivision (2) shall not apply to a proceeding that is the  
5                   subject of a final order accepting the case for youthful offender treatment  
6                   pursuant to subsection 5281(d) of this title.

7                   (3) Any proceeding concerning a child who is alleged to have  
8                   committed one of the following acts after attaining 16 years of age, but not 22  
9                   years of age, shall originate in the Criminal Division of the Superior Court,  
10                  provided that jurisdiction may be transferred in accordance with this chapter  
11                  and chapter 52A of this title, unless the State’s Attorney files the charge  
12                  directly as a youthful offender petition in the Family Division:

13                  (A) using a firearm while committing a felony in violation of  
14                  13 V.S.A. § 4005, or an attempt to commit that offense;

15                  (B) trafficking a regulated drug in violation of 18 V.S.A. chapter 84,  
16                  subchapter 1, or an attempt to commit that offense; or

17                  (C) aggravated stalking as defined in 13 V.S.A. § 1063(a)(3), or an  
18                  attempt to commit that offense.

19                  (d) Any proceeding concerning a child who is alleged to have committed  
20                  any offense other than those specified in subsection 5204(a) of this title or  
21                  subdivision (c)(2) or (3) of this section before attaining 19 years of age shall

1 originate in the Family Division of the Superior Court, provided that  
2 jurisdiction may be transferred in accordance with this chapter.

3 \* \* \*

4 Sec. 1a. 33 V.S.A. § 5203 is amended to read:

5 § 5203. TRANSFER FROM OTHER COURTS

6 (a) If it appears to a Criminal Division of the Superior Court that the  
7 defendant was under 19 years of age at the time the offense charged was  
8 alleged to have been committed and the offense charged is an offense not  
9 specified in subsection 5204(a) or subdivision 5201(c)(2) or (3) of this title,  
10 that court shall forthwith transfer the proceeding to the Family Division of the  
11 Superior Court under the authority of this chapter, and the minor shall then be  
12 considered to be subject to this chapter as a child charged with a delinquent  
13 act.

14 (b) If it appears to a Criminal Division of the Superior Court that the  
15 defendant had attained 14 years of age but not 18 years of age at the time an  
16 offense specified in subsection 5204(a) or subdivision 5201(c)(2) or (3) of this  
17 title was alleged to have been committed, that court may forthwith transfer the  
18 proceeding to the Family Division of the Superior Court under the authority of  
19 this chapter, and the minor shall then be considered to be subject to this chapter  
20 as a child charged with a delinquent act.

1 (c) If it appears to the State’s Attorney that the defendant was under 19  
2 years of age at the time the felony offense charged was alleged to have been  
3 committed and the felony charged is not an offense specified in subsection  
4 5204(a) or subdivision 5201(c)(2) or (3) of this title, the State’s Attorney shall  
5 file charges in the Family Division of the Superior Court, pursuant to section  
6 5201 of this title. The Family Division may transfer the proceeding to the  
7 Criminal Division pursuant to section 5204 of this title.

8 \* \* \*

9 Sec. 2. 33 V.S.A. § 5204 is amended to read:

10 § 5204. TRANSFER FROM FAMILY DIVISION OF THE SUPERIOR  
11 COURT

12 (a) After a petition has been filed alleging delinquency, upon motion of the  
13 State’s Attorney and after hearing, the Family Division of the Superior Court  
14 may transfer jurisdiction of the proceeding to the Criminal Division of the  
15 Superior Court if the child had attained 16 years of age but not 19 years of age  
16 at the time the act was alleged to have occurred and the delinquent act set forth  
17 in the petition is a felony not specified in subdivisions (1)–~~(12)~~(11) of this  
18 subsection or if the child had attained 12 years of age but not 14 years of age at  
19 the time the act was alleged to have occurred, and if the delinquent act set forth  
20 in the petition was any of the following:

21 \* \* \*

1           (10) sexual assault as defined in 13 V.S.A. § 3252(a)(1) or (a)(2) or an  
2 attempt to commit that offense; or

3           (11) aggravated sexual assault as defined in 13 V.S.A. § 3253 and  
4 aggravated sexual assault of a child as defined in 13 V.S.A. § 3253a or an  
5 attempt to commit either of those offenses; ~~or~~

6           ~~(12) burglary into an occupied dwelling as defined in 13 V.S.A.~~  
7 ~~§ 1201(e) or an attempt to commit that offense.~~

8           (b)(1) The State's Attorney of the county where the juvenile petition is  
9 pending may move in the Family Division of the Superior Court for an order  
10 transferring jurisdiction under subsection (a) of this section at any time prior to  
11 adjudication on the merits. The filing of the motion to transfer jurisdiction  
12 shall automatically stay the time for the hearing provided for in section 5225 of  
13 this title, which stay shall remain in effect until such time as the Family  
14 Division of the Superior Court may deny the motion to transfer jurisdiction.

15           (2)(A)(i) The Family Division of the Superior Court shall hold a hearing  
16 under subsection (c) of this section to determine whether jurisdiction should be  
17 transferred to the Criminal Division under subsection (a) of this section if the  
18 delinquent act set forth in the petition is:

19                       (I) ~~a felony violation of 18 V.S.A. chapter 84 for selling or~~  
20 ~~trafficking a regulated drug~~ [Repealed.];

1 (II) human trafficking or aggravated human trafficking in  
2 violation of 13 V.S.A. § 2652 or 2653;

3 (III) defacing a firearm's serial number in violation of  
4 13 V.S.A. § 4024; or

5 (IV) straw purchasing of firearm in violation of 13 V.S.A.  
6 § 4025; and

7 (ii) the child had attained 16 years of age but not 19 years of age at  
8 the time the act was alleged to have occurred.

9 \* \* \*

10 \* \* \* Raise the Age \* \* \*

11 Sec. 3. 2018 Acts and Resolves No. 201, Secs. 17–19, are amended to read:

12 Sec. 17. [Deleted.]

13 Sec. 18. [Deleted.]

14 Sec. 19. [Deleted.]

15 Sec. 4. 2018 Acts and Resolves No. 201, Sec. 21, as amended by 2022 Acts  
16 and Resolves No. 160, Sec. 1, and 2023 Acts and Resolves No. 23, Sec. 12, is  
17 further amended to read:

18 Sec. 21. EFFECTIVE DATES

19 \* \* \*

20 (d) ~~Secs. 17–19 shall take effect on July 1, 2024.~~ [Deleted.]

1 Sec. 5. 2020 Acts and Resolves No. 124, Secs. 3 and 7 are amended to read:

2 Sec. 3. [Deleted.]

3 Sec. 7. [Deleted.]

4 Sec. 6. 2020 Acts and Resolves No. 124, Sec. 12, as amended by 2022 Acts  
5 and Resolves No. 160, Sec. 2, and 2023 Acts and Resolves No. 23, Sec. 13, is  
6 further amended to read:

7 Sec. 12. EFFECTIVE DATES

8 (a) ~~Secs. 3 (33 V.S.A. § 5103(e)) and 7 (33 V.S.A. § 5206) shall take effect~~  
9 ~~on July 1, 2024.~~ [Deleted.]

10 \* \* \*

11 Sec. 7. 33 V.S.A. § 5201(d) is amended to read:

12 (d) Any proceeding concerning a child who is alleged to have committed  
13 any offense other than those specified in subsection 5204(a) of this title or  
14 subdivision (c)(2) or (3) of this section before attaining ~~19~~ 20 years of age shall  
15 originate in the Family Division of the Superior Court, provided that  
16 jurisdiction may be transferred in accordance with this chapter.

17 Sec. 8. 33 V.S.A. § 5203 is amended to read:

18 § 5203. TRANSFER FROM OTHER COURTS

19 (a) If it appears to a Criminal Division of the Superior Court that the  
20 defendant was under ~~19~~ 20 years of age at the time the offense charged was  
21 alleged to have been committed and the offense charged is an offense not

1 specified in subsection 5204(a) or subdivision 5201(c)(2) or (3) of this title,  
2 that court shall forthwith transfer the proceeding to the Family Division of the  
3 Superior Court under the authority of this chapter, and the minor shall then be  
4 considered to be subject to this chapter as a child charged with a delinquent  
5 act.

6 \* \* \*

7 (c) If it appears to the State's Attorney that the defendant was under ~~19~~ 20  
8 years of age at the time the felony offense charged was alleged to have been  
9 committed and the felony charged is not an offense specified in subsection  
10 5204(a) or subdivision 5201(c)(2) or (3) of this title, the State's Attorney shall  
11 file charges in the Family Division of the Superior Court, pursuant to section  
12 5201 of this title. The Family Division may transfer the proceeding to the  
13 Criminal Division pursuant to section 5204 of this title.

14 \* \* \*

15 Sec. 9. 33 V.S.A. § 5204 is amended to read:

16 § 5204. TRANSFER FROM FAMILY DIVISION OF THE SUPERIOR  
17 COURT

18 (a) After a petition has been filed alleging delinquency, upon motion of the  
19 State's Attorney and after hearing, the Family Division of the Superior Court  
20 may transfer jurisdiction of the proceeding to the Criminal Division of the  
21 Superior Court if the child had attained 16 years of age but not ~~19~~ 20 years of



1 age at the time the act was alleged to have occurred and the delinquent act set  
2 forth in the petition is a felony not specified in subdivisions (1)–(11) of this  
3 subsection or if the child had attained 12 years of age but not 14 years of age at  
4 the time the act was alleged to have occurred, and if the delinquent act set forth  
5 in the petition was any of the following:

6 \* \* \*

7 Sec. 10. 33 V.S.A. § 5103(c) is amended to read:

8 (c)(1) Except as otherwise provided by this title and by subdivision (2) of  
9 this subsection, jurisdiction over a child shall not be extended beyond the  
10 child's 18th birthday.

11 (2)(A) Jurisdiction over a child with a delinquency may be extended  
12 until six months beyond the child's:

13 (i) 19th birthday if the child was 16 or 17 years of age when ~~he or~~  
14 ~~she~~ the child committed the offense; ~~or~~

15 (ii) 20th birthday if the child was 18 years of age when ~~he or she~~  
16 the child committed the offense; or

17 (iii) 21st birthday if the child was 19 years of age when the child  
18 committed the offense.

19 \* \* \*

1 Sec. 11. 33 V.S.A. § 5206 is amended to read:

2 § 5206. CITATION OF 16- TO ~~18-YEAR-OLDS~~ 19-YEAR-OLDS

3 (a)(1) If a child was over 16 years of age and under ~~19~~ 20 years of age at  
4 the time the offense was alleged to have been committed and the offense is not  
5 specified in subsection (b) of this section, law enforcement shall cite the child  
6 to the Family Division of the Superior Court.

7 \* \* \*

8 Sec. 12. BIMONTHLY PROGRESS REPORTS TO JOINT LEGISLATIVE  
9 JUSTICE OVERSIGHT COMMITTEE

10 (a) On or before the last day of every other month from July 2024 through  
11 March 2025, the Agency of Human Services shall report to the Joint  
12 Legislative Justice Oversight Committee, the Senate and House Committees on  
13 Judiciary, the House Committee on Corrections and Institutions, the House  
14 Committee on Human Services, and the Senate Committee on Health and  
15 Welfare on its progress toward implementing the requirement of Secs. 7–11 of  
16 this act that the Raise the Age initiative take effect on April 1, 2025. The  
17 progress reports required by this section shall describe progress toward  
18 implementation of the Raise the Age initiative, as measured by qualitative and  
19 quantitative data related to the following priorities:

20 (1) establishing a secure residential facility;

1           (2) expanding capacity for nonresidential treatment programs to provide  
2           community-based services;

3           (3) ensuring that residential treatment programs are used appropriately  
4           and to their full potential;

5           (4) expanding capacity for Balanced and Restorative Justice (BARJ)  
6           contracts;

7           (5) expanding capacity for the provision of services to children with  
8           developmental disabilities;

9           (6) establishing a stabilization program for children who are  
10          experiencing a mental health crisis;

11          (7) enhancing long-term treatment for children;

12          (8) programming to help children, particularly 18- and 19-year-olds,  
13          transition from youth to adulthood;

14          (9) developing district-specific data and information on family services  
15          workforce development, including turnover, retention, and vacancy rates; times  
16          needed to fill open positions; training opportunities and needs; and instituting a  
17          positive culture for employees;

18          (10) installation of a comprehensive child welfare information system;  
19          and

20          (11) plans for and measures taken to secure funding for the goals listed  
21          in this section.



1           (49) “Xylazine” means any compound, mixture, or preparation  
2           including salts, isomers, or salts of isomers containing N-(2,6-  
3           dimethylphenyl)-5,6-dihydro-4H-1,3-thiazin-2-amine.

4           Sec. 14. 18 V.S.A. § 4233a is amended to read:

5           § 4233a. FENTANYL

6           (a) Selling or dispensing.

7           (1) A person knowingly and unlawfully dispensing fentanyl shall be  
8           imprisoned not more than three years or fined not more than \$75,000.00, or  
9           both. A person knowingly and unlawfully selling fentanyl shall be imprisoned  
10          not more than five years or fined not more than \$100,000.00, or both.

11          (2) A person knowingly and unlawfully selling or dispensing fentanyl in  
12          an amount consisting of four milligrams or more of one or more preparations,  
13          compounds, mixtures, or substances containing fentanyl shall be imprisoned  
14          not more than 10 years or fined not more than \$250,000.00, or both.

15          (3) A person knowingly and unlawfully selling or dispensing fentanyl in  
16          an amount consisting of 20 milligrams or more of one or more preparations,  
17          compounds, mixtures, or substances containing fentanyl shall be imprisoned  
18          not more than 20 years or fined not more than \$1,000,000.00, or both.

19          (4) In lieu of a charge under this subsection, but in addition to any other  
20          penalties provided by law, a person knowingly and unlawfully selling or  
21          dispensing any regulated drug containing a detectable amount of fentanyl shall

1 be imprisoned not more than five years or fined not more than \$250,000.00, or  
2 both.

3 (b) Trafficking. A person knowingly and unlawfully possessing fentanyl in  
4 an amount consisting of 70 milligrams or more of one or more preparations,  
5 compounds, mixtures, or substances containing fentanyl with the intent to sell  
6 or dispense the fentanyl shall be imprisoned not more than 30 years or fined  
7 not more than \$1,000,000.00, or both. There shall be a permissive inference  
8 that a person who possesses fentanyl in an amount of 70 milligrams or more of  
9 one or more preparations, compounds, mixtures, or substances containing  
10 fentanyl intends to sell or dispense the fentanyl. The amount of possessed  
11 fentanyl under this subsection to sustain a charge of conspiracy under 13  
12 V.S.A. § 1404 shall be not less than 70 milligrams in the aggregate.

13 (c) Transportation into the State. In addition to any other penalties  
14 provided by law, a person knowingly and unlawfully transporting more than 20  
15 milligrams of fentanyl into Vermont with the intent to sell or dispense the  
16 fentanyl shall be imprisoned not more than 10 years or fined not more than  
17 \$100,000.00, or both.

18 (d) As used in this section, “knowingly” means:

19 (1) the defendant had actual knowledge that one or more preparations,  
20 compounds, mixtures, or substances contained the regulated drug identified in  
21 the applicable section of this chapter; or

1           (2) the defendant:

2                   (A) was aware that there is a high probability that one or more  
3           preparations, compounds, mixtures, or substances contained the regulated drug  
4           identified in the applicable section of this chapter; and

5                   (B) took deliberate actions to avoid learning that one or more  
6           preparations, compounds, mixtures, or substances contained the regulated drug  
7           identified in the applicable section of this chapter.

8           Sec. 15. 18 V.S.A. § 4234 is amended to read:

9           § 4234. DEPRESSANT, STIMULANT, AND NARCOTIC DRUGS

10           (a) Possession.

11                   (1)(A) Except as provided by subdivision (B) of this subdivision (1), a  
12           person knowingly and unlawfully possessing a depressant, stimulant, or  
13           narcotic drug, other than heroin or cocaine, shall be imprisoned not more than  
14           one year or fined not more than \$2,000.00, or both.

15                   (B) A person knowingly and unlawfully possessing 224 milligrams  
16           or less of buprenorphine shall not be punished in accordance with subdivision  
17           (A) of this subdivision (1).

18                   (2) A person knowingly and unlawfully possessing a depressant,  
19           stimulant, or narcotic drug, other than heroin or cocaine, consisting of 100  
20           times a benchmark unlawful dosage or its equivalent shall be imprisoned not  
21           more than five years or fined not more than \$25,000.00, or both.

1           (3) A person knowingly and unlawfully possessing a depressant,  
2 stimulant, or narcotic drug, other than heroin or cocaine, consisting of 1,000  
3 times a benchmark unlawful dosage or its equivalent shall be imprisoned not  
4 more than 10 years or fined not more than \$100,000.00, or both.

5           (4) A person knowingly and unlawfully possessing a depressant,  
6 stimulant, or narcotic drug, other than heroin or cocaine, consisting of 10,000  
7 times a benchmark unlawful dosage or its equivalent shall be imprisoned not  
8 more than 20 years or fined not more than \$500,000.00, or both.

9           (b) Selling or dispensing.

10           (1) A person knowingly and unlawfully dispensing a depressant,  
11 stimulant, or narcotic drug, other than fentanyl, heroin, or cocaine, shall be  
12 imprisoned not more than three years or fined not more than \$75,000.00, or  
13 both. A person knowingly and unlawfully selling a depressant, stimulant, or  
14 narcotic drug, other than fentanyl, cocaine, or heroin, shall be imprisoned not  
15 more than five years or fined not more than \$25,000.00, or both.

16           (2) A person knowingly and unlawfully selling or dispensing a  
17 depressant, stimulant, or narcotic drug, other than fentanyl, heroin, or cocaine,  
18 consisting of 100 times a benchmark unlawful dosage or its equivalent shall be  
19 imprisoned not more than 10 years or fined not more than \$100,000.00, or  
20 both.



1           (3) A person knowingly and unlawfully selling or dispensing a  
2           depressant, stimulant, or narcotic drug, other than fentanyl, heroin, or cocaine,  
3           consisting of 1,000 times a benchmark unlawful dosage or its equivalent shall  
4           be imprisoned not more than 20 years or fined not more than \$500,000.00, or  
5           both.

6           (4) As used in this subsection, “knowingly” means:

7                   (A) the defendant had actual knowledge that one or more  
8                   preparations, compounds, mixtures, or substances contained the regulated drug  
9                   identified in the applicable section of this chapter; or

10                   (B) the defendant:

11                           (i) was aware that there is a high probability that one or more  
12                           preparations, compounds, mixtures, or substances contained the regulated drug  
13                           identified in the applicable section of this chapter; and

14                           (ii) took deliberate actions to avoid learning that one or more  
15                           preparations, compounds, mixtures, or substances contained the regulated drug  
16                           identified in the applicable section of this chapter.

17           (c) Possession of buprenorphine by a person under 21 years of age.

18                   (1) Except as provided in subdivision (2) of this subsection, a person  
19                   under 21 years of age who knowingly and unlawfully possesses 224  
20                   milligrams or less of buprenorphine commits a civil violation and shall be  
21                   subject to the provisions of section 4230b of this title.

1           (2) A person under 16 years of age who knowingly and unlawfully  
2 possesses 224 milligrams or less of buprenorphine commits a delinquent act  
3 and shall be subject to the provisions of section 4230j of this title.

4           Sec. 16. 18 V.S.A. § 4233b is added to read:

5           § 4233b. XYLAZINE

6           (a) No person shall dispense or sell xylazine except as provided in  
7 subsection (b) of this section.

8           (b) The following are permitted activities related to xylazine:

9           (1) dispensing or prescribing for, or administration to, a nonhuman  
10 species a drug containing xylazine approved by the Secretary of Health and  
11 Human Services pursuant to section 512 of the Federal Food, Drug, and  
12 Cosmetic Act as provided in 21 U.S.C. § 360b;

13           (2) dispensing or prescribing for, or administration to, a nonhuman  
14 species permissible pursuant to section 512(a)(4) of the Federal Food, Drug,  
15 and Cosmetic Act as provided in 21 U.S.C. § 360b(a)(4);

16           (3) manufacturing, distribution, or use of xylazine as an active  
17 pharmaceutical ingredient for manufacturing an animal drug approved under  
18 section 512 of the Federal Food, Drug, and Cosmetic Act as provided in  
19 21 U.S.C. § 360b or issued an investigation use exemption pursuant to section  
20 512(j);

1           (4) manufacturing, distribution, or use of a xylazine bulk chemical for  
2           pharmaceutical compounding by licensed pharmacists or veterinarians; and

3           (5) any other use approved or permissible under the Federal Food, Drug,  
4           and Cosmetic Act.

5           (c) A person knowingly and unlawfully dispensing xylazine shall be  
6           imprisoned not more than three years or fined not more than \$75,000.00, or  
7           both. A person knowingly and unlawfully selling xylazine shall be imprisoned  
8           not more than five years or fined not more than \$100,000.00, or both.

9           (d) As used in this section, “knowingly” means:

10           (1) the defendant had actual knowledge that one or more preparations,  
11           compounds, mixtures, or substances contained xylazine; or

12           (2) the defendant:

13           (A) was aware that there is a high probability that one or more  
14           preparations, compounds, mixtures, or substances contained xylazine; and

15           (B) took deliberate actions to avoid learning that one or more  
16           preparations, compounds, mixtures, or substances contained xylazine.

17           Sec. 17. 18 V.S.A. § 4250 is amended to read:

18           § 4250. SELLING OR DISPENSING A REGULATED DRUG WITH  
19           DEATH RESULTING

20           (a) If the death of a person results from the selling or dispensing of a  
21           regulated drug to the person in violation of this chapter, the person convicted

1 of the violation shall be imprisoned not less than two years nor more than  
2 20 years.

3 (b) This section shall apply only if the person's use of the regulated drug is  
4 the proximate cause of ~~his or her~~ the person's death. The fact that a dispensed  
5 or sold substance contains more than one regulated drug shall not be a defense  
6 under this section if the proximate cause of death is the use of the dispensed or  
7 sold substance containing more than one regulated drug.

8 (c)(1) Except as provided in subdivision (2) of this subsection, the two-year  
9 minimum term of imprisonment required by this section shall be served and  
10 may not be suspended, deferred, or served as a supervised sentence. The  
11 defendant shall not be eligible for probation, parole, furlough, or any other type  
12 of early release until the expiration of the two-year term of imprisonment.

13 (2) Notwithstanding subdivision (1) of this subsection, the court may  
14 impose a sentence that does not include a term of imprisonment or that  
15 includes a term of imprisonment of less than two years if the court makes  
16 findings on the record that the sentence will serve the interests of justice.

17 Sec. 17a. VERMONT SENTENCING COMMISSION; PERMISSIVE  
18 INFERENCE

19 Not later than October 15, 2024, the Vermont Sentencing Commission shall  
20 make a recommendation to the General Assembly whether in 18 V.S.A.  
21 § 4250, selling or dispensing with death resulting, there should be a permissive

1 inference that the proximate cause of death is the person's use of the regulated  
2 drug if the regulated drug contains fentanyl.

3 Sec. 18. 18 V.S.A. § 4252a is added to read:

4 § 4252a. UNLAWFUL DRUG ACTIVITY IN A DWELLING; FLASH

5 CITATION

6 (a) Except for good cause shown, a person cited or arrested for dispensing  
7 or selling a regulated drug in violation of this chapter shall be arraigned on the  
8 next business day after the citation or arrest if the alleged illegal activity  
9 occurred at a dwelling where the person is not a legal tenant.

10 (b) Unless the person is held without bail for another offense, the State's  
11 Attorney may request conditions of release. The court may include as a  
12 condition of release that the person is prohibited from coming within a fixed  
13 distance of the dwelling.

14 Sec. 19. 18 V.S.A. § 4254(j) is added to read:

15 (j) To encourage persons to seek medical assistance for someone who is  
16 experiencing an overdose, the Department of Health, in partnership with  
17 entities that provide education, outreach, and services regarding substance use  
18 disorder, shall engage in continuous efforts to publicize the immunity  
19 protections provided in this section.



1 Court, including alleged violations of 33 V.S.A. §§ 5204(a) and 5201(c)(2) or

2 (3);

3 (2) whether cases alleging criminal violations by youths under 20 years  
4 of age should also begin in the Family Division; and

5 (3) statutory options for creating an expedited court process for more  
6 serious offenses that would permit transfer of proceedings from the Family  
7 Division of the Superior Court to the Criminal Division of the Superior Court  
8 without requiring the full transfer hearing process of 33 V.S.A. § 5204,  
9 including the offenses and offender age ranges that would qualify for the  
10 expedited process.

11 \* \* \* Effective Dates \* \* \*

12 Sec. 21. EFFECTIVE DATES

13 (a) Secs. 1–6, 12–20, and this section shall take effect on July 1, 2024.

14 (b) Secs. 7–11 shall take effect on April 1, 2025.