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S.196

An act relating to the types of evidence permitted in weight of the evidence hearings

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

Sec. 1. 13 V.S.A. § 7553a is amended to read:

§ 7553a. ACTS OF VIOLENCE; DENIAL OF RELEASE ON BAIL

(a) A person charged with an offense that is a felony, an element of which involves an act of violence against another person, may be held without bail when the evidence of guilt is great and the court finds, based upon clear and convincing evidence, that the person’s release poses a substantial threat of physical violence to any person and that no condition or combination of conditions of release will reasonably prevent the physical violence.

(b) Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law. Nothing in this subsection shall be construed to alter the existing standard applied to determine whether evidence of guilt is great under this section.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2024.