

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary recommends that the House propose to the
3 Senate to amend the bill as recommended by the Committee on Human
4 Services, when further amended as recommended by the Committee on
5 Health Care, and when further amended as follows:

6 First: By inserting a new section to be Sec. 17a to read as follows:

7 Sec. 17a. JUDICIAL REVIEW; RESIDENTS OF SECURE RESIDENTIAL
8 RECOVERY FACILITY

9 Between July 1, 2024 and July 1, 2025, an individual who has been
10 committed to the custody of the Commissioner at the secure residential
11 recovery facility continuously since June 30, 2024 or earlier may apply to the
12 Family Division of the Superior Court for a review as to whether the secure
13 residential recovery facility continues to be the most appropriate and least
14 restrictive setting necessary to serve the individual.

15 Second: By striking out Sec. 22, 13 V.S.A. § 4816, in its entirety and
16 inserting in lieu thereof a new Sec. 22 to read as follows:

17 Sec. 22. 13 V.S.A. § 4816 is amended to read:

18 § 4816. SCOPE OF EXAMINATION; REPORT; EVIDENCE

19 * * *

20 (b) A competency evaluation for an individual thought to have a
21 developmental disability shall ~~include~~ be a current evaluation by a doctoral-

1 level psychologist trained in forensic psychology and skilled in assessing
2 individuals with developmental disabilities.

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4 Third: In Sec. 26, 18 V.S.A. chapter 206, subchapter 3, in section 8839, in
5 subdivisions (3)(B)(i) and (4)(B) by striking out “section 2821 of this title” and
6 inserting in lieu thereof “13 V.S.A. § 2821” in both instances in which it
7 appears and by striking out “section 2602 of this title” and inserting in lieu
8 thereof “13 V.S.A. § 2602” in both instances in which it appears

9 Fourth: In Sec. 26, 18 V.S.A. chapter 206, subchapter 3, in section 8845, in
10 subsection (b), by inserting a second sentence to read as follows:

11 “The hearing may be continued for good cause shown.”

12 Fifth: In Sec. 26, 18 V.S.A. chapter 206, subchapter 3, in section 8847, in
13 subsection (b), by striking out “and may have immediate or delayed effect”

14 Sixth: In Sec. 26, 18 V.S.A. chapter 206, subchapter 3, in section 8847, in
15 subdivision (c)(2), by inserting a second sentence to read as follows:

16 “A victim receiving notice pursuant to this subdivision has the right to submit
17 a victim impact statement to the Family Division of the Superior Court in
18 writing or through the State’s Attorney’s or Attorney General’s Office.”

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(Committee vote: _____)

Representative _____

FOR THE COMMITTEE