

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 645  
3 entitled “An act relating to the expansion of approaches to restorative justice”  
4 respectfully reports that it has considered the same and recommends that the  
5 bill be amended by striking out all after the enacting clause and inserting in  
6 lieu thereof the following:

7 Sec. 1. 3 V.S.A. chapter 7 is amended to read:

8 CHAPTER 7. ATTORNEY GENERAL

9 Subchapter 1. Election; Authority; Duties

10 § 151. ELECTION AND TERM

11 \* \* \*

12 Subchapter 2. Restorative Justice Approaches

13 § 162a. DEFINITIONS

14 As used in this subchapter:

15 (1) “Child” has the same meaning as in 33 V.S.A. § 5102(2).

16 (2) “Pre-charge diversion” means a referral of an individual to a  
17 community-based restorative justice provider by a law enforcement officer or  
18 prosecutor after the referring officer or prosecutor has determined that  
19 probable cause exists that the individual has committed a criminal offense and  
20 before the individual is criminally charged with the offense or before a petition  
21 is filed in family court for the offense.

1           (3) “Youth” has the same meaning as in 33 V.S.A. § 5102(29).

2           § 163. JUVENILE COURT DIVERSION ~~PROJECT~~ PROGRAM

3           (a) Purpose.

4           (1) The Attorney General shall develop and administer a juvenile court  
5 diversion ~~project~~ program, for both pre-charge and post-charge referrals to  
6 youth-appropriate community-based restorative justice providers, for the  
7 purpose of assisting ~~juveniles~~ children or youth charged with delinquent acts.  
8 ~~In consultation with the diversion programs, the Attorney General shall adopt a~~  
9 ~~policies and procedures manual in compliance with this section.~~

10           (2) The program shall be designed to provide a restorative option for  
11 children or youth alleged to have caused harm in violation of a criminal statute  
12 or who have been charged with violating a criminal statute and subject to a  
13 delinquency or youthful offender petition filed with the Family Division of the  
14 Superior Court, as well as for victims or those acting on a victim’s behalf who  
15 have been allegedly harmed by the responsible party. The juvenile diversion  
16 program can accept referrals to the program as follows:

17           (A) Pre-charge by law enforcement or prosecutors pursuant to a  
18 policy adopted in accordance with subdivisions (c)(1)–(2) of this section.

19           (B) Post-charge by prosecutors for children or youth charged with a  
20 first or a second misdemeanor or a first nonviolent felony, or other offenses as  
21 the prosecutor deems appropriate, pursuant to subdivision (c)(3) of this section.

1       (b) ~~The diversion program administered by the Attorney General shall~~  
2 ~~support the operation of diversion programs in local communities through~~  
3 ~~grants of financial assistance to, or by contracting for services with,~~  
4 ~~municipalities, private groups, or other local organizations. The Attorney~~  
5 ~~General may require local financial contributions as a condition of receipt of~~  
6 ~~project funding. Administration; report.~~

7           (1) The Attorney General shall support the operation of diversion  
8 programs in each of the State’s counties through grants of financial assistance  
9 to, or contracts for services with, a single municipality or organization to  
10 provide community-based restorative justice programs and services in each  
11 county. Upon approval of the Attorney General, the single municipality or  
12 organization receiving a grant pursuant to this section may issue subgrants to  
13 diversion providers or execute subcontracts for diversion services.

14           (2) The Attorney General may require local financial contributions as a  
15 condition of receipt of program funding.

16           (3) In consultation with community-based restorative justice providers,  
17 the Office of the Attorney General shall develop program outcomes following  
18 the designated State of Vermont performance accountability framework and, in  
19 consultation with the Department of State’s Attorneys and Sheriffs, the Office  
20 of the Defender General, the Center for Crime Victim Services, the Judiciary,  
21 and the Division of Racial Justice Statistics of the Office of Racial Equity,

1 report annually on or before December 1 to the General Assembly on services  
2 provided and outcome indicators. As components of the report required by this  
3 subsection, the Attorney General shall include data on the number of pre-  
4 charge and post-charge diversion program referrals in each county; race,  
5 gender, age, and other demographic variables, whenever possible; offenses  
6 charged and crime types; successful completion rates; and possible causes of  
7 any geographical disparities.

8 (3) The Attorney General is authorized to accept grants and gifts for the  
9 purposes of this section, such acceptance being pursuant to 32 V.S.A. § 5.

10 (4) In consultation with ~~the pre-charge and post-charge diversion~~  
11 ~~programs~~ community-based restorative justice providers, the Center for Crime  
12 Victims Services, the Department of State’s Attorneys and Sheriffs’ Victim  
13 Advocates, the Division for Racial Justice Statistics of the Office of Racial  
14 Equity, and the State Archivist, the Attorney General shall adopt a policies and  
15 procedures manual for community-based restorative justice providers to  
16 promote a uniform system across the State in compliance with this section.  
17 The manual shall include policies and procedures related to:

18 (A) informing victims of their rights and role in pre-charge and post-  
19 charge diversion, including that such information is available in writing upon  
20 request;

1           (B) the timely notification victims of a referral to pre- and post-  
2 charge diversion;

3           (C) an invitation to victims to engage in the restorative process;

4           (D) how to share information with a victim concerning a restorative  
5 agreement’s conditions related to the victim and any progress made on such  
6 conditions;

7           (E) best practices for collecting data from all parties that engage with  
8 the pre-charge and post-charge diversion programs; and

9           (F) confidentiality expectations for all parties who engage in the  
10 restorative process.

11       (c) ~~All diversion projects receiving financial assistance from the Attorney~~  
12 ~~General shall adhere to the following provisions:~~ Juvenile diversion program  
13 policy and referral requirements.

14           ~~(1) The diversion project shall only accept persons against whom~~  
15 ~~charges have been filed and the court has found probable cause but are not yet~~  
16 ~~adjudicated.~~

17           ~~(2) Alleged offenders shall be informed of their right to the advice and~~  
18 ~~assistance of private counsel or the public defender at all stages of the~~  
19 ~~diversion process, including the initial decision to participate, and the decision~~  
20 ~~to accept the diversion contract, so that the candidate may give his or her~~  
21 ~~informed consent.~~

1           ~~(3) The participant shall be informed that his or her selection of the~~  
2           ~~diversion contract is voluntary.~~

3           ~~(4) Each State’s Attorney, in cooperation with the Attorney General and~~  
4           ~~the diversion program, shall develop clear criteria for deciding what types of~~  
5           ~~offenses and offenders will be eligible for diversion; however, the State’s~~  
6           ~~Attorney shall retain final discretion over the referral of each case for~~  
7           ~~diversion. The provisions of 33 V.S.A. § 5225(c) and § 5280(e) shall apply.~~

8           ~~(5) All information gathered in the course of the diversion process shall~~  
9           ~~be held strictly confidential and shall not be released without the participant’s~~  
10          ~~prior consent (except that research and reports that do not require or establish~~  
11          ~~the identity of individual participants are allowed).~~

12          ~~(6) Information related to the present offense that is divulged during the~~  
13          ~~diversion program shall not be used in the prosecutor’s case. However, the~~  
14          ~~fact of participation and success, or reasons for failure may become part of the~~  
15          ~~prosecutor’s records.~~

16          ~~(7) The diversion project shall maintain sufficient records so that the~~  
17          ~~reasons for success or failure of the program in particular cases and overall can~~  
18          ~~be investigated by program staff.~~

19          ~~(8) Diversion projects shall be set up to respect the rights of participants.~~

20          ~~(9) Each participant shall pay a fee to the local juvenile court diversion~~  
21          ~~project. The amount of the fee shall be determined by project officers based~~

1 ~~upon the financial capabilities of the participant. The fee shall not exceed~~  
2 ~~\$150.00. The fee shall be a debt due from the participant, and payment of such~~  
3 ~~shall be required for successful completion of the Program. Notwithstanding~~  
4 ~~32 V.S.A. § 502(a), fees collected under this subdivision shall be retained and~~  
5 ~~used solely for the purpose of the Court Diversion Program.~~

6 Juvenile pre-charge diversion policy required. In order for a county's  
7 community-based restorative justice provider to be eligible to receive pre-  
8 charge diversion referrals pursuant to this section, each State's Attorney's  
9 office shall adopt a juvenile pre-charge diversion referral policy. To encourage  
10 fair and consistent juvenile pre-charge diversion referral policies and methods  
11 statewide, the Department of State's Attorneys and Sheriffs and the  
12 Community Justice Unit shall publicly post the policies adopted by each  
13 State's Attorney's office.

14 (2) Juvenile pre-charge diversion policy contents. A county's State's  
15 Attorney's juvenile pre-charge diversion program policy shall include the  
16 following:

17 (A) A list of offenses that presumptively qualify for juvenile pre-  
18 charge diversion.

19 (B) Any additional criteria to determine whether a child or youth is  
20 eligible to participate in juvenile pre-charge diversion.

1           (C) The appropriate documentation to accompany a referral to  
2           juvenile pre-charge diversion, including the name and contact information of  
3           the child or youth and the child or youth’s parent or legal guardian; the name  
4           and contact information of the victim or victims; and a factual statement or  
5           affidavit of probable cause of the alleged incident.

6           (D) A procedure for returning a case to the law enforcement agency  
7           or the prosecutor, including when:

8                   (i) the prosecutor withdraws any juvenile pre-charge referral from  
9                   the juvenile pre-charge diversion program;

10                   (ii) the community-based restorative justice provider determines  
11                   that the matter is not appropriate for juvenile pre-charge programming; and

12                   (iii) when a child or youth does not successfully complete juvenile  
13                   pre-charge diversion programming.

14           (E) A statement reiterating that the State’s Attorney retains final  
15           discretion over the cases that are eligible for diversion and may deviate from  
16           the adopted policy in accordance with such discretion.

17           (3) Juvenile post-charge diversion requirements. Each State’s Attorney,  
18           in cooperation with the Office of the Attorney General and the juvenile post-  
19           charge diversion program, shall develop clear criteria for deciding what types  
20           of offenses and offenders will be eligible for diversion; however, the State’s  
21           Attorney shall retain final discretion over the referral of each case for



1 diversion. All juvenile post-charge diversion programs receiving financial  
2 assistance from the Attorney General shall adhere to the following:

3 (A) The juvenile post-charge diversion program for children or youth  
4 shall only accept individuals against whom a petition has been filed and the  
5 court has found probable cause, but are not adjudicated.

6 (B) A prosecutor may refer a child or youth to diversion either before  
7 or after a preliminary hearing and shall notify in writing to the diversion  
8 program and the court of the prosecutor’s referral to diversion.

9 (C) If a child or youth is charged with a qualifying crime as defined  
10 in 13 V.S.A. § 7601(4)(A) and the crime is a misdemeanor, the prosecutor  
11 shall provide the child or youth with the opportunity to participate in the court  
12 diversion program unless the prosecutor states on the record at the preliminary  
13 hearing or a subsequent hearing why a referral to the post-charge program  
14 would not serve the ends of justice. Factors considered in the ends-of-justice  
15 determination include the child’s or youth’s delinquency record, the views of  
16 the alleged victim or victims, and the need for probationary supervision.

17 (D) Notwithstanding this subsection (c), the diversion program may  
18 accept cases pursuant to 33 V.S.A. §§ 5225(c) and 5280(e).

19 ~~(d) The Attorney General is authorized to accept grants and gifts for the~~  
20 ~~purposes of this section, such acceptance being pursuant to 32 V.S.A. § 5.~~  
21 Confidentiality.

1           (1) The matter shall become confidential when notice of a pre-charge  
2           referral is provided to the juvenile diversion program, or when notice of a post-  
3           charge referral is provided to the court.

4           (2) All information related to any offense gathered in the course of the  
5           juvenile diversion process shall be held strictly confidential and shall not be  
6           released without the participant’s prior consent.

7           (3) Information related to any offense that a person divulges in  
8           preparation for, during, or as a follow-up to the provision of the juvenile  
9           diversion programming shall not be used against the person in any criminal,  
10          civil, family, juvenile or administrative investigation, prosecution, or case for  
11          any purpose, including impeachment or cross-examination. However, the fact  
12          of participation and success, or reasons for failure, may become part of the  
13          prosecutor’s records. This subsection shall not be construed to prohibit the  
14          limited disclosure or use of information to specific persons in the following  
15          circumstances:

16                (A) Where there is a threat or statement of a plan that a person may  
17                reasonably believe is likely to result in death or bodily injury to themselves or  
18                others or damage to the property of another person.

19                (B) When disclosure is necessary to report bodily harm any party  
20                causes another during restorative justice programming.

1           (C) Where there is a reasonable suspicion of abuse or neglect of a  
2           child or vulnerable adult and a report is made pursuant to the provisions of  
3           33 V.S.A. § 4914 or 33 V.S.A. § 6903 or to comply with any law.

4           (D) Where a court or administrative tribunal determines that the  
5           materials were submitted by a participant in the program for the purpose of  
6           avoiding discovery of the material in a court or administrative proceeding. If a  
7           participant wishes to avail themselves of this provision, the participant may  
8           disclose this information in camera to a judicial officer for the purposes of  
9           seeking such a ruling.

10           (4)(A) Notwithstanding subdivision (2) of this subsection (d), if law  
11           enforcement or the prosecutor refers a case to diversion, upon the victim’s  
12           request, the juvenile diversion program shall provide information relating to  
13           the victim, the conditions of the diversion contract ~~related to~~ regarding the  
14           victim, progress made on such conditions, and information that assists with  
15           obtaining the victim’s compensation.

16           (B) Victim information that is not part of the public record shall not  
17           be released without the victim’s prior consent.

18           (C) Nothing in this section shall be construed to prohibit a victim’s  
19           exercise of rights as otherwise provided by law.

20           (e) Rights and responsibilities.

1           (1) ~~Within 30 days after the two-year anniversary of a successful~~  
2 ~~completion of juvenile diversion, the court shall provide notice to all parties of~~  
3 ~~record of the court's intention to order the expungement of all court files and~~  
4 ~~records, law enforcement records other than entries in the juvenile court~~  
5 ~~diversion program's centralized filing system, fingerprints, and photographs~~  
6 ~~applicable to the proceeding. However, the court shall not order expungement~~  
7 ~~if the participant does not satisfy each of subdivisions (A)–(D) of this~~  
8 ~~subdivision. The court shall give the State's Attorney an opportunity for a~~  
9 ~~hearing to contest the expungement of the records. The court shall expunge~~  
10 ~~the records if it finds:~~

11           ~~(A) two years have elapsed since the successful completion of~~  
12 ~~juvenile diversion by the participant;~~

13           ~~(B) the participant has not been convicted of a subsequent felony or~~  
14 ~~misdemeanor during the two-year period, and no proceedings are pending~~  
15 ~~seeking such conviction;~~

16           ~~(C) rehabilitation of the participant has been attained to the~~  
17 ~~satisfaction of the court; and~~

18           ~~(D) the participant does not owe restitution related to the case. Juvenile~~  
19 ~~court diversion programs shall be set up to respect the rights of participants.~~

20           (2) ~~The court may expunge any records that were sealed pursuant to this~~  
21 ~~subsection prior to July 1, 2018 unless the State's Attorney's office that~~

1 prosecuted the case objects. Thirty days prior to expunging a record pursuant  
2 to this subdivision, the court shall provide written notice of its intent to  
3 expunge the record to the State's Attorney's office that prosecuted the case.

4 (A) Diversion candidates shall be informed of their right to the  
5 advice, assistance, and access to private counsel or the public defender at all  
6 stages of the diversion process, including the initial decision to participate and  
7 the decision to accept the juvenile diversion contract, so that the candidate may  
8 give informed consent.

9 (B) For the pre-charge diversion program, notwithstanding the  
10 financial need determination pursuant to 13 V.S.A. § 5236, the diversion  
11 program shall inform the candidate that a public defender is available for  
12 consultation at public expense upon the request of the candidate.

13 ~~(3)(A) The court shall keep a special index of cases that have been~~  
14 ~~expunged pursuant to this section together with the expungement order. The~~  
15 ~~index shall list only the name of the person convicted of the offense, his or her~~  
16 ~~date of birth, the docket number, and the criminal offense that was the subject~~  
17 ~~of the expungement.~~

18 ~~(B) The special index and related documents specified in subdivision~~  
19 ~~(A) of this subdivision (3) shall be confidential and shall be physically and~~  
20 ~~electronically segregated in a manner that ensures confidentiality and that~~  
21 ~~limits access to authorized persons.~~

1           ~~(C) Inspection of the expungement order and the certificate may be~~  
2           ~~permitted only upon petition by the person who is the subject of the case. The~~  
3           ~~Chief Superior Judge may permit special access to the index and the~~  
4           ~~documents for research purposes pursuant to the rules for public access to~~  
5           ~~court records.~~

6           ~~(D) The Court Administrator shall establish policies for implementing~~  
7           ~~this subsection (e). Information related to the present offense that is divulged~~  
8           ~~during the juvenile diversion program shall not be used against the child or~~  
9           ~~youth in the child’s or youth’s case for any purpose, including impeachment or~~  
10           ~~cross-examination. However, the fact of participation and success, or reasons~~  
11           ~~for failure, may become part of the prosecutor’s records.~~

12           (4) Any alleged victims shall be notified of the victim’s rights and role  
13           in the pre-charge diversion process, including notification of a candidate’s  
14           referral to the pre-charge diversion program by the pre-charge diversion  
15           program.

16           ~~(f) Except as otherwise provided in this section, upon the entry of an order~~  
17           ~~expunging files and records under this section, the proceedings in the matter~~  
18           ~~shall be considered never to have occurred, all index references thereto shall be~~  
19           ~~deleted, and the participant, the court, and law enforcement officers and~~  
20           ~~departments shall reply to any request for information that no record exists~~  
21           ~~with respect to such participant inquiry in any matter. Copies of the order shall~~

1 ~~be sent to each agency or official named therein.~~ Records; deletion and  
2 expungement.

3 (1) Pre-charge diversion records deletion.

4 (A) Not later than 10 days after the successful completion of the pre-  
5 charge diversion program, the juvenile diversion program shall notify the  
6 victim, law enforcement agency, and the State’s Attorney office of the  
7 participant’s successful completion. Payment of restitution is required for  
8 successful completion.

9 (B) Two years after the diversion program notifies the State’s  
10 Attorney office of the participant’s successful completion, the Attorney  
11 General shall provide a certified notice that all records held by the diversion  
12 program and the State’s Attorney office shall be deleted.

13 (C) Two years after the diversion program notifies the law  
14 enforcement agency and the State’s Attorney office of the participant’s  
15 successful completion, the Attorney General shall provide a certified notice  
16 that all public records held by the law enforcement agency and the State’s  
17 Attorney office shall be deleted. Public records do not include the Valcour  
18 database or other similar nonpublic law enforcement databases.

19 (2) Pre-charge diversion case index.

20 (A) The Community Justice Unit shall keep a special index of pre-  
21 charge diversion cases that have been deleted pursuant to this section together

1 with the notice of deletion provided by the Attorney General. The index shall  
2 list only the name of the diversion participant, the individual's date of birth, a  
3 case number, if any, and the offense that was the subject of the deletion.

4 (B) The special index and related documents specified in subdivision  
5 (A) of this subdivision (2) shall be confidential and shall be physically and  
6 electronically segregated in a manner that ensures confidentiality and that  
7 limits access to authorized persons.

8 (C) Inspection of the certified notice may be permitted only upon  
9 request by the person who is the subject of the case. The Attorney General  
10 may permit special access to the index and the documents for research  
11 purposes pursuant to subdivision (g)(2) of this section.

12 (D) The Community Justice Unit shall establish policies for  
13 implementing subsections (1)–(4) of this subsection (f).

14 (3) Effect of Deletion. Except as otherwise provided in this section,  
15 upon the certified notice to delete files and records under this section, the  
16 matter shall be considered never to have occurred; all index references thereto  
17 shall be deleted; and the participant, the Community Justice Unite, law  
18 enforcement officers and departments, prosecutors, the referring entity, and the  
19 diversion program shall reply to any request for information that no record  
20 exists with respect to such participant inquiry in any matter. Copies of the  
21 certified notice shall be sent to each agency, entity, or official named therein.



1           (4) Deletion Applicability. The process of automatically deleting  
2           records as provided in this section shall only apply to those persons who  
3           completed pre-charge diversion on or after July 1, 2025. Any person who  
4           completed pre-charge diversion prior to July 1, 2025 must apply to the court to  
5           have the person’s records deleted. Deletion shall occur if the requirements of  
6           subdivisions (1)–(3) of this subsection (f) are met.

7           (5) Post-charge diversion records expungement. Within 30 days after  
8           the two-year anniversary of a successful completion of juvenile post-charge  
9           diversion, the court shall provide notice to all parties of record of the court’s  
10           intention to order the expungement of all court files and records, law  
11           enforcement records, fingerprints, and photographs other than entries in the  
12           court diversion program’s centralized filing system applicable to the  
13           proceeding. However, the court shall not order expungement if the participant  
14           does not satisfy each of subdivisions (A)–(C) of this subdivision. The court  
15           shall give the State’s Attorney an opportunity for a hearing to contest the  
16           expungement of the records. The court shall expunge the records if it finds:

17           (A) two years have elapsed since the successful completion of the  
18           juvenile post-charge diversion program by the participant;

19           (B) the participant has not been convicted of a subsequent felony or  
20           misdemeanor during the two-year period, and no proceedings are pending  
21           seeking such conviction; and

1           (C) the participant does not owe restitution related to the case.

2           (6) Expungement of sealed records. The court may expunge any records  
3           that were sealed pursuant to this subsection prior to July 1, 2018 unless the  
4           State’s Attorney’s office that prosecuted the case objects. Thirty days prior to  
5           expunging a record pursuant to this subdivision, the court shall provide written  
6           notice of its intent to expunge the record to the State’s Attorney’s office that  
7           prosecuted the case.

8           (7) Post-charge diversion case index.

9           (A) The court and the Office of the Attorney General shall keep a  
10          special index of post-charge diversion cases that have been expunged pursuant  
11          to this section together with the expungement order. The index shall list only  
12          the name of the person convicted of the offense, the person’s date of birth, the  
13          docket number, and the offense that was the subject of the expungement.

14          (B) The special index and related documents specified in subdivision  
15          (A) of this subdivision (7) shall be confidential and shall be physically and  
16          electronically segregated in a manner that ensures confidentiality and that  
17          limits access to authorized persons.

18          (C) Inspection of the expungement order and the certificate may be  
19          permitted only upon petition by the person who is the subject of the case. The  
20          Chief Superior Judge may permit special access to the index and the

1 documents for research purposes pursuant to the rules for public access to  
2 court records.

3 (D) The Court Administrator shall establish policies for  
4 implementing subdivisions (5)–(9) of this subsection (f).

5 (8) Effect of Expungement. Except as otherwise provided in this  
6 section, upon the entry of an order expunging files and records under this  
7 section, the proceedings in the matter shall be considered never to have  
8 occurred; all index references thereto shall be deleted; and the participant, the  
9 court, law enforcement officers and departments, prosecutors, the referring  
10 entity, and the diversion program shall reply to any request for information that  
11 no record exists with respect to such participant inquiry in any matter. Copies  
12 of the order shall be sent to each agency, entity, or official named therein.

13 (9) Expungement Applicability. The process of automatically  
14 expunging records as provided in this section shall only apply to those persons  
15 who completed diversion on or after July 1, 2002. Any person who completed  
16 diversion prior to July 1, 2002 must apply to the court to have the person’s  
17 records expunged. Expungement shall occur if the requirements of  
18 subdivisions (5)–(8) of this subsection (f) are met.

19 ~~(g) The process of automatically expunging records as provided in this~~  
20 ~~section shall only apply to those persons who completed diversion on or after~~  
21 ~~July 1, 2002. Any person who completed diversion prior to July 1, 2002 must~~

1 ~~apply to the court to have his or her records expunged. Expungement shall~~  
2 ~~occur if the requirements of subsection (c) of this section are met.~~

3 ~~(h) Subject to the approval of the Attorney General, the Vermont~~  
4 ~~Association of Court Diversion Programs may develop and administer~~  
5 ~~programs to assist persons under this section charged with delinquent,~~  
6 ~~criminal, and civil offenses~~

7 ~~(i) Notwithstanding subdivision (c)(1) of this section, the diversion~~  
8 ~~program may accept cases from the Youth Substance Awareness Safety~~  
9 ~~Program pursuant to 7 V.S.A. § 656 or 18 V.S.A. § 4230b. The confidentiality~~  
10 ~~provisions of this section shall become effective when a notice of violation is~~  
11 ~~issued under 7 V.S.A. § 656(b) or 18 V.S.A. § 4230b(b) and shall remain in~~  
12 ~~effect unless the person fails to register with or complete the Youth Substance~~  
13 ~~Awareness Safety Program.~~

14 ~~(j) Notwithstanding subdivision (c)(1) of this section, the diversion~~  
15 ~~program may accept cases pursuant to 33 V.S.A. §§ 5225–5280. Public~~  
16 ~~records act exemption.~~

17 (1) Except as otherwise provided by this section, any records or  
18 information produced or acquired pursuant to this section shall be exempt from  
19 public inspection or copying under Vermont’s Public Records Act.

20 (2) Notwithstanding subdivision (1) of this subsection, a law  
21 enforcement agency, State’s Attorney office, court, or community-based

1 restorative justice provider may disclose information to colleges, universities,  
2 public agencies of the State, and nonprofit research organizations that a  
3 community-based restorative justice provider has agreements with for use in  
4 connection with research projects of a public service nature, but no person  
5 associated with those institutions or agencies may disclose that information in  
6 any manner that would reveal the identity of an individual who provided the  
7 information to the community-based restorative justice provider.

8 § 164. ADULT COURT DIVERSION PROGRAM

9 (a) Purpose.

10 (1) The Attorney General shall develop and administer an adult court  
11 diversion program, for both pre-charge and post-charge referrals, in all  
12 counties. ~~In consultation with diversion programs, the Attorney General shall~~  
13 adopt a policies and procedures manual in compliance with this section.

14 (2) The program shall be designed to provide a restorative option for  
15 persons alleged to have caused harm in violation of a criminal statute or who  
16 have been charged with violating a criminal statute as well as for victims or  
17 those acting on a victim’s behalf who have been allegedly harmed by the  
18 responsible party. The diversion program can accept referrals to the program  
19 as follows:

20 (A) Pre-charge by law enforcement or prosecutors pursuant to a  
21 policy adopted in accordance with subdivisions (c)(1)–(2) of this section.

1           (B) Post-charge by prosecutors for persons charged with a first or a  
2           second misdemeanor or a first nonviolent felony, or other offenses as the  
3           prosecutor deems appropriate, pursuant to subdivision (c)(3) of this section.

4           (C) Post-charge by prosecutors of persons who have been charged  
5           with an offense and who have substance abuse or mental health treatment  
6           needs regardless of the person’s prior criminal history record, except a person  
7           charged with a felony offense that is a crime listed in 13 V.S.A. § 5301(7) shall  
8           not be eligible under this section. Persons who have attained 18 years of age  
9           who are subject to a petition in the Family Division pursuant to 33 V.S.A.  
10           chapter 52 or 52A shall also be eligible under this section. Programming for  
11           these persons is intended to support access to appropriate treatment or other  
12           resources with the aim of improving the person’s health and reducing future  
13           adverse involvement in the justice system.

14           (b) ~~The program shall be designed for two purposes:~~ Administration;  
15           report.

16           (1) ~~To assist adults who have been charged with a first or a second~~  
17           ~~misdemeanor or a first nonviolent felony.~~ The Attorney General shall support  
18           the operation of diversion programs in each of the State’s counties through  
19           grants of financial assistance to, or contracts for services with, a single  
20           municipality or organization to provide community-based restorative justice  
21           programs and services in each county. Upon approval of the Attorney General,

1 the single municipality or organization receiving a grant pursuant to this  
2 section may issue subgrants to diversion providers or execute subcontracts for  
3 diversion services.

4 (2) ~~To assist persons who have been charged with an offense and who~~  
5 ~~have substance abuse or mental health treatment needs regardless of the~~  
6 ~~person's prior criminal history record, except a person charged with a felony~~  
7 ~~offense that is a crime listed in 13 V.S.A. § 5301(7) shall not be eligible under~~  
8 ~~this section. Persons who have attained 18 years of age who are subject to a~~  
9 ~~petition in the Family Division pursuant to 33 V.S.A. chapters 52 or 52A shall~~  
10 ~~also be eligible under this section. Programming for these persons is intended~~  
11 ~~to support access to appropriate treatment or other resources with the aim of~~  
12 ~~improving the person's health and reducing future adverse involvement in the~~  
13 ~~justice system. The Attorney General may require local financial contributions~~  
14 ~~as a condition of receipt of program funding.~~

15 (3) In consultation with community-based restorative justice providers,  
16 the Office of the Attorney General shall develop program outcomes following  
17 the designated State of Vermont performance accountability framework and, in  
18 consultation with the Department of State's Attorneys and Sheriffs, the Office  
19 of the Defender General, the Center for Crime Victim Services, the Judiciary,  
20 and the Division of Racial Justice Statistics of the Office of Racial Equity,  
21 report annually on or before December 1 to the General Assembly on services

1 provided and outcome indicators. As components of the report required by this  
2 subsection, the Attorney General shall include data on the number of pre-  
3 charge and post-charge diversion program referrals in each county; race,  
4 gender, age, and other demographic variables, whenever possible; offenses  
5 charged and crime types; successful completion rates; and possible causes of  
6 any geographical disparities.

7 (4) The Attorney General is authorized to accept grants and gifts for the  
8 purposes of this section, such acceptance being pursuant to 32 V.S.A. § 5.

9 (5) In consultation with ~~the pre-charge and post-charge diversion~~  
10 ~~programs~~ community-based restorative justice providers, the Center for Crime  
11 Victims Services, the Department of State’s Attorneys and Sheriffs’ Victim  
12 Advocates, the Division for Racial Justice Statistics of the Office of Racial  
13 Equity, and the State Archivist, the Attorney General shall adopt a policies and  
14 procedures manual for community-based restorative justice providers to  
15 promote a uniform system across the State in compliance with this section.

16 The manual shall include the following policies and procedures related to:

17 (A) informing victims of their rights and role in pre-charge and post-  
18 charge diversion, including that such information is available in writing upon  
19 request;

20 (B) the timely notification victims of a referral to pre-charge and  
21 post-charge diversion;



1           (C) an invitation to victims to engage in the restorative process;

2           (D) how to share information with a victim concerning a restorative  
3 agreement’s conditions related to the victim and any progress made on such  
4 conditions;

5           (E) best practices for collecting data from all parties that engage with  
6 the pre-charge and post-charge diversion programs; and

7           (F) confidentiality expectations for all parties who engage in the  
8 restorative process.

9           ~~(c) The program shall support the operation of diversion programs in~~  
10 ~~local communities through grants of financial assistance to, or contracts for~~  
11 ~~services with, municipalities, private groups, or other local organizations. The~~  
12 ~~Attorney General may require local financial contributions as a condition of~~  
13 ~~receipt of program funding. Adult diversion program policy and referral~~  
14 ~~requirements.~~

15           (1) Adult pre-charge diversion policy required. In order for a county’s  
16 community-based restorative justice provider to be eligible to receive referrals  
17 pursuant to this section, each State’s Attorney’s office shall adopt an adult pre-  
18 charge diversion referral policy. To encourage fair and consistent pre-charge  
19 and post-charge diversion referral policies and methods statewide, the  
20 Department of State’s Attorneys and Sheriffs and the Community Justice Unit  
21 shall publicly post the policies adopted by each State’s Attorney’s office.

1           (2) Adult pre-charge diversion policy contents. A county’s State’s  
2           Attorney’s pre-charge diversion program policy shall include the following:

3                   (A) a list of offenses that presumptively qualify for pre-charge  
4           diversion;

5                   (B) additional criteria to determine whether a responsible party is  
6           eligible to participate in pre-charge diversion;

7                   (C) appropriate documentation to accompany a referral to pre-charge  
8           diversion, including the name and contact information of the responsible party  
9           the name and contact information of the victim or victims, and a factual  
10           statement or affidavit of probable cause of the alleged offense;

11                   (D) a procedure for returning a case to the law enforcement agency or  
12           the prosecutor, including when:

13                           (i) the prosecutor withdraws a pre-charge referral from the  
14           diversion program;

15                           (ii) the community-based restorative justice provider determines  
16           that the matter is not appropriate for pre-charge programming; and

17                           (iii) a person does not successfully complete pre-charge diversion  
18           programming; and

19                   (E) a statement reiterating that the State’s Attorney retains final  
20           discretion over the cases that are eligible for diversion and may deviate from  
21           the adopted policy in accordance with such discretion.

1           (3) Adult post-charge diversion requirements. Each State’s Attorney, in  
2           cooperation with the Office of the Attorney General and the adult post-charge  
3           diversion program, shall develop clear criteria for deciding what types of  
4           offenses and offenders will be eligible for diversion; however, the State’s  
5           Attorney shall retain final discretion over the referral of each case for  
6           diversion. All adult post-charge diversion programs receiving financial  
7           assistance from the Attorney General shall adhere to the following:

8                   (A) The post-charge diversion program for adults shall only accept  
9                   person against whom charges have been filed and the court has found probable  
10                  cause, but are not adjudicated.

11                  (B) A prosecutor may refer a person to diversion either before or  
12                  after arraignment and shall notify in writing the diversion program and the  
13                  court of the prosecutor’s of the referral to diversion.

14                  (C) If a person is charged with a qualifying crime as defined in  
15                  13 V.S.A. § 7601(4)(A) and the crime is a misdemeanor, the prosecutor shall  
16                  provide the person with the opportunity to participate in the court diversion  
17                  program unless the prosecutor states on the record at arraignment or a  
18                  subsequent hearing why a referral to the post-charge program would not serve  
19                  the ends of justice. Factors considered in the ends-of-justice determination  
20                  include the person’s criminal record, the views of the alleged victim or any  
21                  victims, or the need for probationary supervision.

1            (D) Notwithstanding this subsection (c), the diversion program may  
2            accept cases pursuant to 33 V.S.A. §§ 5225 and 5280.

3            ~~(d) The Office of the Attorney General shall develop program outcomes~~  
4            ~~following the designated State of Vermont performance accountability~~  
5            ~~framework and, in consultation with the Department of State's Attorneys and~~  
6            ~~Sheriffs, the Office of the Defender General, the Center for Crime Victim~~  
7            ~~Services, and the Judiciary, report annually on or before December 1 to the~~  
8            ~~General Assembly on services provided and outcome indicators. As a~~  
9            ~~component of the report required by this subsection, the Attorney General shall~~  
10           ~~include data on diversion program referrals in each county and possible causes~~  
11           ~~of any geographical disparities. Confidentiality.~~

12           (1) The matter shall become confidential when notice of a pre-charge  
13           referral is provided to the diversion program, or when notice of a post-charge  
14           referral is provided to the court. However, persons who are subject to  
15           conditions of release imposed pursuant to 13 V.S.A. § 7554 and who are  
16           referred to diversion pursuant to subdivision (a)(2)(C) of this section, the  
17           matter shall become confidential upon the successful completion of diversion.

18           (2) All information gathered in the course of the adult diversion process  
19           shall be held strictly confidential and shall not be released without the  
20           participant's prior consent.

1           (3) Information related to any offense that a person divulges in  
2           preparation for, during, or as a follow-up to the provision of the adult diversion  
3           programming shall not be used against the person in any criminal, civil, family,  
4           juvenile or administrative investigation, prosecution, or case for any purpose,  
5           including impeachment or cross-examination. However, the fact of  
6           participation and success, or reasons for failure, may become part of the  
7           prosecutor’s records. This subsection shall not be construed to prohibit the  
8           limited disclosure or use of information to specific persons in the following  
9           circumstances:

10           (A) Where there is a threat or statement of a plan that a person may  
11           reasonably believe is likely to result in death or bodily injury to themselves or  
12           others or damage to the property of another person.

13           (B) when disclosure is necessary to report bodily harm any party  
14           causes another during restorative justice programming.

15           (C) Where there is a reasonable suspicion of abuse or neglect of a  
16           child or vulnerable adult and a report is made pursuant to the provisions of  
17           33 V.S.A. § 4914 or 33 V.S.A. § 6903 or to comply with any law.

18           (D) Where a court or administrative tribunal determines that the  
19           materials were submitted by a participant in the program for the purpose of  
20           avoiding discovery of the material in a court or administrative proceeding. If a  
21           participant wishes to avail themselves of this provision, the participant may

1 disclose this information in camera to a judicial officer for the purposes of  
2 seeking such a ruling.

3 (4)(A) Notwithstanding subdivision (2) of this subsection (d), if law  
4 enforcement or the prosecutor refers a case to diversion, upon the victim’s  
5 request, the adult diversion program shall provide information relating to the  
6 victim, the conditions of the diversion contract **related to regarding** the victim,  
7 progress made on such conditions, and information that assists with obtaining  
8 the victim’s compensation.

9 **(B) Victim information that is not part of the public record shall not**  
10 **be released without the victim’s prior consent.**

11 (C) Nothing in this section shall be construed to prohibit a victim’s  
12 exercise of rights as otherwise provided by law.

13 ~~(e) All adult court diversion programs receiving financial assistance from~~  
14 ~~the Attorney General shall adhere to the following provisions: Rights and~~  
15 ~~responsibilities.~~

16 ~~(1) The diversion program shall accept only persons against whom~~  
17 ~~charges have been filed and the court has found probable cause, but are not yet~~  
18 ~~adjudicated. The prosecuting attorney may refer a person to diversion either~~  
19 ~~before or after arraignment and shall notify in writing the diversion program~~  
20 ~~and the court of his or her intention to refer the person to diversion. The matter~~  
21 ~~shall become confidential when notice is provided to the court, except that for~~

1 ~~persons who are subject to conditions of release imposed pursuant to 13 V.S.A.~~  
2 ~~§ 7554 and who are referred to diversion pursuant to subdivision (b)(2) of this~~  
3 ~~section, the matter shall become confidential upon the successful completion of~~  
4 ~~diversion. If a person is charged with a qualifying crime as defined in~~  
5 ~~13 V.S.A. § 7601(4)(A) and the crime is a misdemeanor, the prosecutor shall~~  
6 ~~provide the person with the opportunity to participate in the court diversion~~  
7 ~~program unless the prosecutor states on the record at arraignment or a~~  
8 ~~subsequent hearing why a referral to the program would not serve the ends of~~  
9 ~~justice. If the prosecuting attorney prosecutor refers a case to diversion, the~~  
10 ~~prosecuting attorney prosecutor may release information to the victim upon a~~  
11 ~~showing of legitimate need and subject to an appropriate protective agreement~~  
12 ~~defining the purpose for which the information is being released and in all~~  
13 ~~other respects maintaining the confidentiality of the information; otherwise,~~  
14 ~~files held by the court, the prosecuting attorney prosecutor, and the law~~  
15 ~~enforcement agency related to the charges shall be confidential and shall~~  
16 ~~remain confidential unless:~~  
17 ~~(A) the diversion program declines to accept the case;~~  
18 ~~(B) the person declines to participate in diversion;~~  
19 ~~(C) the diversion program accepts the case, but the person does not~~  
20 ~~successfully complete diversion; or~~

1           ~~(D) the prosecuting attorney prosecutor recalls the referral to~~  
2           ~~diversion.~~ Adult court diversion programs shall be set up to respect the rights  
3           of participants.

4           (2) ~~Alleged offenders shall be informed of their right to the advice and~~  
5           ~~assistance of private counsel or the public defender at all stages of the~~  
6           ~~diversion process, including the initial decision to participate, and the decision~~  
7           ~~to accept the adult diversion contract, so that the candidate may give informed~~  
8           ~~consent.~~

9           (A) Diversion candidates shall be informed of their right to the  
10          advice, assistance, and access to private counsel or the public defender at all  
11          stages of the diversion process, including the initial decision to participate and  
12          the decision to accept the diversion contract, so that the candidate may give  
13          informed consent.

14          (B) For the pre-charge diversion program, notwithstanding the  
15          financial need determination pursuant to 13 V.S.A. § 5236, the diversion  
16          program shall inform the candidate that a public defender is available for  
17          consultation at public expense upon the request of the diversion candidate.

18          (3) ~~The participant shall be informed that his or her selection of the adult~~  
19          ~~diversion contract is voluntary.~~ The candidate shall be informed that  
20          participation in the diversion program is voluntary.



1           ~~(4) Each State’s Attorney, in cooperation with the Office of the Attorney~~  
2           ~~General and the adult court diversion program, shall develop clear criteria for~~  
3           ~~deciding what types of offenses and offenders will be eligible for diversion;~~  
4           ~~however, the State’s Attorney shall retain final discretion over the referral of~~  
5           ~~each case for diversion.~~

6           ~~(5) All information gathered in the course of the adult diversion process~~  
7           ~~shall be held strictly confidential and shall not be released without the~~  
8           ~~participant’s prior consent (except that research and reports that do not~~  
9           ~~establish the identity of individual participants are allowed).~~

10           (A) The pre-charge and post-charge diversion programs may charge  
11           fees to its participants, which shall be paid to the local adult court diversion  
12           program. If a fee is charged, it shall be determined by program officers or  
13           employees based upon the financial capabilities of the participant. The fee  
14           shall not exceed \$300.00. Any fee charged shall be a debt due from the  
15           participant.

16           (B) Notwithstanding 32 V.S.A. § 502(a), fees collected pursuant to  
17           this subdivision (4) shall be retained and used solely for the purpose of the  
18           adult court diversion program.

19           ~~(6)(5) Information related to the present offense that is divulged during~~  
20           ~~the adult diversion program shall not be used against the person in the person’s~~  
21           ~~criminal or juvenile case for any purpose, including impeachment or cross-~~

1 ~~examination. However, the fact of participation and success, or reasons for~~  
2 ~~failure, may become part of the prosecutor's records. Any alleged victims~~  
3 ~~shall be notified of the victim's rights and role in the pre-charge diversion~~  
4 ~~process, including notification of a candidate's referral to the pre-charge~~  
5 ~~diversion program by the pre-charge diversion program.~~

6 ~~(7)(A) Irrespective of whether a record was expunged, the adult court~~  
7 ~~diversion program shall maintain sufficient records so that the reasons for~~  
8 ~~success or failure of the program in particular cases and overall can be~~  
9 ~~investigated by program staff. These records shall include a centralized~~  
10 ~~statewide filing system that will include the following information about~~  
11 ~~individuals who have successfully completed an adult court diversion program:~~

12 ~~(i) name and date of birth;~~

13 ~~(ii) offense charged and date of offense;~~

14 ~~(iii) place of residence;~~

15 ~~(iv) county where diversion process took place; and~~

16 ~~(v) date of completion of diversion process.~~

17 ~~(B) These records shall not be available to anyone other than the~~  
18 ~~participant and his or her attorney, State's Attorneys, the Attorney General,~~  
19 ~~and directors of adult court diversion programs.~~

20 ~~(C) Notwithstanding subdivision (B) of this subdivision (e)(7), the~~  
21 ~~Attorney General shall, upon request, provide to a participant or his or her~~

1 attorney sufficient documentation to show that the participant successfully  
2 completed diversion.

3 (8) ~~Adult court diversion programs shall be set up to respect the rights of~~  
4 ~~participants.~~

5 (9) ~~Each participant shall pay a fee to the local adult court diversion~~  
6 ~~program. The amount of the fee shall be determined by program officers or~~  
7 ~~employees based upon the financial capabilities of the participant. The fee~~  
8 ~~shall not exceed \$300.00. The fee shall be a debt due from the participant, and~~  
9 ~~payment of such shall be required for successful completion of the program.~~

10 ~~Notwithstanding 32 V.S.A. § 502(a), fees collected under this subdivision shall~~  
11 ~~be retained and used solely for the purpose of the court diversion program.~~

12 (f) ~~The Attorney General is authorized to accept grants and gifts for the~~  
13 ~~purposes of this section, such acceptance being pursuant to 32 V.S.A. § 5.~~

14 Records; deletion and expungement.

15 (1) Pre-charge diversion records deletion.

16 (A) Not later than 10 days after the successful completion of the pre-  
17 charge diversion program, the juvenile diversion program shall notify the  
18 victim, law enforcement agency, and the State's Attorney office of the  
19 participant's successful completion. Payment of restitution is required for  
20 successful completion.

1           (B) Two years after the diversion program notifies the State’s  
2           Attorney office of the participant’s successful completion, the Attorney  
3           General shall provide a certified notice that all records held by the diversion  
4           program ~~and the State’s Attorney office~~ shall be deleted.

5           (C) Two years after the diversion program notifies the law  
6           enforcement agency ~~and the State’s Attorney office~~ of the participant’s  
7           successful completion, the Attorney General shall provide a certified notice  
8           that all public records held by the law enforcement agency ~~and the State’s~~  
9           ~~Attorney office~~ shall be deleted. Public records do not include the Valcour  
10           database or other similar nonpublic law enforcement databases.

11           (2) Pre-charge diversion case index.

12           (A) The Community Justice Unit shall keep a special index of pre-  
13           charge diversion cases that have been deleted pursuant to this section together  
14           with the notice of deletion provided by the Attorney General. The index shall  
15           list only the name of the diversion participant, the individual’s date of birth, a  
16           case number, if any, and the offense that was the subject of the deletion.

17           (B) The special index and related documents specified in subdivision  
18           (A) of this subdivision (2) shall be confidential and shall be physically and  
19           electronically segregated in a manner that ensures confidentiality and that  
20           limits access to authorized persons.

1           (C) Inspection of the certified notice may be permitted only upon  
2           request by the person who is the subject of the case. The Attorney General  
3           may permit special access to the index and the documents for research  
4           purposes pursuant to subdivision (g)(2) of this section.

5           (D) The Community Justice Unit shall establish policies for  
6           implementing subsections (1)–(4) of this subsection (f).

7           (3) Effect of Deletion. Except as otherwise provided in this section,  
8           upon the certified notice to delete files and records under this section, the  
9           matter shall be considered never to have occurred; all index references thereto  
10           shall be deleted; and the participant, the Community Justice Unit, law  
11           enforcement officers and departments, prosecutors, the referring entity, and the  
12           diversion program shall reply to any request for information that no record  
13           exists with respect to such participant inquiry in any matter. Copies of the  
14           certified notice shall be sent to each agency, entity, or official named therein.

15           (4) Deletion Applicability. The process of automatically deleting  
16           records as provided in this section shall only apply to those persons who  
17           completed pre-charge diversion on or after July 1, 2025. Any person who  
18           completed pre-charge diversion prior to July 1, 2025 must apply to the court to  
19           have the person’s records deleted. Deletion shall occur if the requirements of  
20           subdivisions (1)–(3) of this subsection (f) are met.

1           (5) Post-charge diversion records expungement. Within 30 days after  
2           the two-year anniversary of a successful completion of adult post-charge  
3           diversion, the court shall provide notice to all parties of record of the court’s  
4           intention to order the expungement of all court files and records, law  
5           enforcement records, fingerprints, and photographs other than entries in the  
6           adult court diversion program’s centralized filing system applicable to the  
7           proceeding. However, the court shall not order expungement if the participant  
8           does not satisfy each of subdivisions (A)–(C) of this subdivision. The court  
9           shall give the State’s Attorney an opportunity for a hearing to contest the  
10           expungement of the records. The court shall expunge the records if it finds:

11                   (A) two years have elapsed since the successful completion of the  
12                   adult post-charge diversion program by the participant;

13                   (B) the participant has not been convicted of a subsequent felony or  
14                   misdemeanor during the two-year period, and no proceedings are pending  
15                   seeking such conviction; and

16                   (C) the participant does not owe restitution related to the case.

17           (6) Expungement of sealed records. The court may expunge any records  
18           that were sealed pursuant to this subsection prior to July 1, 2018 unless the  
19           State’s Attorney’s office that prosecuted the case objects. Thirty days prior to  
20           expunging a record pursuant to this subdivision, the court shall provide written

1 notice of its intent to expunge the record to the State’s Attorney’s office that  
2 prosecuted the case.

3 (7) Post-charge diversion case index.

4 (A) The court and the Office of the Attorney General shall keep a  
5 special index of post-charge diversion cases that have been expunged pursuant  
6 to this section together with the expungement order. The index shall list only  
7 the name of the person convicted of the offense, the person’s date of birth, the  
8 docket number, and the criminal offense that was the subject of the  
9 expungement.

10 (B) The special index and related documents specified in subdivision  
11 (A) of this subdivision (7) shall be confidential and shall be physically and  
12 electronically segregated in a manner that ensures confidentiality and that  
13 limits access to authorized persons.

14 (C) Inspection of the expungement order and the certificate may be  
15 permitted only upon petition by the person who is the subject of the case. The  
16 Chief Superior Judge may permit special access to the index and the  
17 documents for research purposes pursuant to the rules for public access to  
18 court records.

19 (D) The Court Administrator shall establish policies for  
20 implementing subdivisions (5)–(9) of this subsection (f).

1           (8) Effect of Expungement. Except as otherwise provided in this  
2           section, upon the entry of an order expunging files and records under this  
3           section, the proceedings in the matter shall be considered never to have  
4           occurred; all index references thereto shall be deleted; and the participant, the  
5           court, law enforcement officers and departments, prosecutors, the referring  
6           entity, and the diversion program shall reply to any request for information that  
7           no record exists with respect to such participant inquiry in any matter. Copies  
8           of the order shall be sent to each agency, entity, or official named therein.

9           (9) Expungement Applicability. The process of automatically  
10           expunging records as provided in this section shall only apply to those persons  
11           who completed diversion on or after July 1, 2002. Any person who completed  
12           diversion prior to July 1, 2002 must apply to the court to have the person's  
13           records expunged. Expungement shall occur if the requirements of this  
14           subsection (f) are met.

15           (g) Public records act exemption.

16           ~~(1) Within 30 days after the two-year anniversary of a successful~~  
17           ~~completion of adult diversion, the court shall provide notice to all parties of~~  
18           ~~record of the court's intention to order the expungement of all court files and~~  
19           ~~records, law enforcement records other than entries in the adult court diversion~~  
20           ~~program's centralized filing system, fingerprints, and photographs applicable~~  
21           ~~to the proceeding. However, the court shall not order expungement if the~~



1 ~~participant does not satisfy each of subdivisions (A)–(D) of this subdivision.~~

2 ~~The court shall give the State’s Attorney an opportunity for a hearing to contest~~  
3 ~~the expungement of the records. The court shall expunge the records if it~~  
4 ~~finds:~~

5 ~~(A) two years have elapsed since the successful completion of the~~  
6 ~~adult diversion program by the participant;~~

7 ~~(B) the participant has not been convicted of a subsequent felony or~~  
8 ~~misdemeanor during the two year period, and no proceedings are pending~~  
9 ~~seeking such conviction;~~

10 ~~(C) rehabilitation of the participant has been attained to the~~  
11 ~~satisfaction of the court; and~~

12 ~~(D) the participant does not owe restitution related to the case.~~

13 Except as otherwise provided in this section, any records or information  
14 produced or acquired pursuant to this section shall be exempt from public  
15 inspection or copying under Vermont’s Public Records Act and shall be kept  
16 confidential.

17 (2) ~~The court may expunge any records that were sealed pursuant to this~~  
18 ~~subsection prior to July 1, 2018 unless the State’s Attorney’s office that~~  
19 ~~prosecuted the case objects. Thirty days prior to expunging a record pursuant~~  
20 ~~to this subdivision, the court shall provide written notice of its intent to~~  
21 ~~expunge the record to the State’s Attorney’s office that prosecuted the case.~~

1 Notwithstanding subdivision (1) of this subsection, a law enforcement agency,  
2 State’s Attorney office, court, or community-based restorative justice provider  
3 may disclose information to colleges, universities, public agencies of the State,  
4 and nonprofit research organizations that a community-based restorative  
5 justice provider has agreements with for use in connection with research  
6 projects of a public service nature, but no person associated with those  
7 institutions or agencies may disclose that information in any manner that  
8 would reveal the identity of an individual who provided the information to the  
9 community-based restorative justice provider.

10 ~~(3)(A) The court shall keep a special index of cases that have been~~  
11 ~~expunged pursuant to this section together with the expungement order. The~~  
12 ~~index shall list only the name of the person convicted of the offense, his or her~~  
13 ~~date of birth, the docket number, and the criminal offense that was the subject~~  
14 ~~of the expungement.~~

15 ~~(B) The special index and related documents specified in subdivision~~  
16 ~~(A) of this subdivision (3) shall be confidential and shall be physically and~~  
17 ~~electronically segregated in a manner that ensures confidentiality and that~~  
18 ~~limits access to authorized persons.~~

19 ~~(C) Inspection of the expungement order and the certificate may be~~  
20 ~~permitted only upon petition by the person who is the subject of the case. The~~  
21 ~~Chief Superior Judge may permit special access to the index and the~~

1 ~~documents for research purposes pursuant to the rules for public access to~~  
2 ~~court records.~~

3 ~~(D) The Court Administrator shall establish policies for~~  
4 ~~implementing this subsection (g).~~

5 ~~(h) Except as otherwise provided in this section, upon the entry of an order~~  
6 ~~expunging files and records under this section, the proceedings in the matter~~  
7 ~~shall be considered never to have occurred, all index references thereto shall be~~  
8 ~~deleted, and the participant, the court, and law enforcement officers and~~  
9 ~~departments shall reply to any request for information that no record exists~~  
10 ~~with respect to such participant inquiry in any matter. Copies of the order shall~~  
11 ~~be sent to each agency or official named therein.~~

12 ~~(i) [Repealed.]~~

13 ~~(j) The process of automatically expunging records as provided in this~~  
14 ~~section shall only apply to those persons who completed diversion on or after~~  
15 ~~July 1, 2002. Any person who completed diversion prior to July 1, 2002 must~~  
16 ~~apply to the court to have his or her records expunged. Expungement shall~~  
17 ~~occur if the requirements of subsection (g) of this section are met.~~

18 ~~(k) The Attorney General, in consultation with the Vermont Association of~~  
19 ~~Court Diversion Programs, may develop and administer programs to assist~~  
20 ~~persons under this section charged with delinquent, criminal, and civil~~  
21 ~~offenses.~~

1       ~~(l) Notwithstanding subdivision (e)(1) of this section, the diversion  
2 program may accept cases from the Youth Substance Awareness Safety  
3 Program pursuant to 7 V.S.A. § 656 or 18 V.S.A. § 4230b. The confidentiality  
4 provisions of this section shall become effective when a notice of violation is  
5 issued under 7 V.S.A. § 656(b) or 18 V.S.A. § 4230b(b) and shall remain in  
6 effect unless the person fails to register with or complete the Youth Substance  
7 Awareness Safety Program.~~

8       ~~(m) Notwithstanding subdivision (e)(1) of this section, the diversion  
9 program may accept cases pursuant to 33 V.S.A. §§ 5225 and 5280.~~

10   \* \* \*

11       § ~~165~~ 161. PUBLIC CONTRACT ADVOCATE

12   \* \* \*

13       Sec. 2. 7 V.S.A. § 656 is amended to read:

14       § 656. PERSON 16 YEARS OF AGE OR OLDER AND UNDER 21 YEARS  
15               OF AGE MISREPRESENTING AGE, PROCURING, POSSESSING,  
16               OR CONSUMING ALCOHOLIC BEVERAGES; CIVIL  
17               VIOLATION

18   \* \* \*

19       (b) Issuance of notice of violation. A law enforcement officer shall issue a  
20 person who violates this section a notice of violation, in a form approved by  
21 the Court Administrator. The notice of violation shall require the person to

1 provide ~~his or her~~ the person's name and address and shall explain procedures  
2 under this section, including that:

3 (1) the person shall contact the Diversion Program in the county where  
4 the offense occurred within 15 days;

5 (2) failure to contact the Diversion Program within 15 days will result in  
6 the case being referred to the Judicial Bureau, where the person, if found liable  
7 for the violation, will be subject to a civil penalty and a suspension of the  
8 person's operator's license and may face substantially increased insurance  
9 rates;

10 (3) no money should be submitted to pay any penalty until after  
11 adjudication; and

12 (4) the person shall notify the Diversion Program if the person's address  
13 changes.

14 \* \* \*

15 (d) Registration in Youth Substance Abuse Safety Program. Within  
16 15 days after receiving a notice of violation, the person shall contact the  
17 Diversion Program in the county where the offense occurred and register for  
18 the Youth Substance Abuse Safety Program. If the person fails to do so, the  
19 Diversion Program shall file the summons and complaint with the Judicial  
20 Bureau for adjudication under 4 V.S.A. chapter 29. The Diversion Program  
21 shall provide a copy of the summons and complaint to the law enforcement

1 officer who issued the notice of violation and shall provide two copies to the  
2 person charged with the violation.

3 (e) Notice to report to Diversion. Upon receipt from a law enforcement  
4 officer of a summons and complaint completed under this section, the  
5 Diversion Program shall send the person a notice to report to the Diversion  
6 Program. The notice to report shall provide that:

7 (1) The person is required to complete all conditions related to the  
8 offense imposed by the Diversion Program, including substance abuse  
9 screening and, if deemed appropriate following the screening, substance abuse  
10 assessment or substance abuse counseling, or both.

11 (2) If the person does not satisfactorily complete the substance abuse  
12 screening, any required substance abuse assessment or substance abuse  
13 counseling, or any other condition related to the offense imposed by the  
14 Diversion Program, the case will be referred to the Judicial Bureau, where the  
15 person, if found liable for the violation, shall be assessed a civil penalty, the  
16 person's driver's license will be suspended, and the person's automobile  
17 insurance rates may increase substantially.

18 (3) If the person satisfactorily completes the substance abuse screening,  
19 any required substance abuse assessment or substance abuse counseling, and  
20 any other condition related to the offense imposed by the Diversion Program,

1 no penalty shall be imposed and the person's operator's license shall not be  
2 suspended.

3 (f) Diversion Program requirements.

4 (1) Upon being contacted by a person who has been issued a notice of  
5 violation, the Diversion Program shall register the person in the Youth  
6 Substance Abuse Safety Program. Pursuant to the Youth Substance Abuse  
7 Safety Program, the Diversion Program shall impose conditions on the person.  
8 The conditions imposed shall include only conditions related to the offense and  
9 in every case shall include a condition requiring satisfactory completion of  
10 substance abuse screening using an evidence-based tool and, if deemed  
11 appropriate following the screening, substance abuse assessment and substance  
12 abuse education or substance abuse counseling, or both. If the screener  
13 recommends substance abuse counseling, the person shall choose a State-  
14 certified or State-licensed substance abuse counselor or substance abuse  
15 treatment provider to provide the services.

16 (2) Substance abuse screening required under this subsection shall be  
17 completed within 60 days after the Diversion Program receives a summons and  
18 complaint. The person shall complete all conditions at ~~his or her~~ the person's  
19 own expense.

20 (3) When a person has satisfactorily completed substance abuse  
21 screening, any required substance abuse education or substance abuse

1 counseling, and any other condition related to the offense that the Diversion  
2 Program has imposed, the Diversion Program shall:

3 (A) ~~void~~ Void the summons and complaint with no penalty due; ~~and~~.

4 (B) ~~send~~ Send copies of the voided summons and complaint to the  
5 Judicial Bureau and to the law enforcement officer who completed them.

6 Before sending copies of the voided summons and complaint to the Judicial  
7 Bureau under this subdivision, the Diversion Program shall redact all language  
8 containing the person's name, address, Social Security number, and any other  
9 information that identifies the person.

10 (4) If a person does not satisfactorily complete substance abuse  
11 screening, any required substance abuse education or substance abuse  
12 counseling, or any other condition related to the offense imposed by the  
13 Diversion Program ~~or if the person fails to pay the Diversion Program any~~  
14 ~~required program fees~~, the Diversion Program shall file the summons and  
15 complaint with the Judicial Bureau for adjudication under 4 V.S.A. chapter 29.  
16 The Diversion Program shall provide a copy of the summons and complaint to  
17 the law enforcement officer who issued the notice of violation and shall  
18 provide two copies to the person charged with the violation.

19 (5) A person aggrieved by a decision of the Diversion Program or  
20 alcohol counselor may seek review of that decision pursuant to Rule 75 of the  
21 Vermont Rules of Civil Procedure.



1           (6) Notwithstanding 3 V.S.A. §§ 163(a)(2)(C) and 164(a)(2)(C), the  
2           adult or juvenile diversion programs shall accept cases from the Youth  
3           Substance Awareness Safety Program pursuant to this section. The  
4           confidentiality provisions of 3 V.S.A. § 163 or 164 shall become effective  
5           when a notice of violation is issued pursuant to subsection (b) of this section  
6           and shall remain in effect unless the person fails to register with or complete  
7           the Youth Substance Awareness Safety Program.

8   \* \* \*

9           Sec. 3. 18 V.S.A. § 4230b is amended to read:

10           § 4230b. CANNABIS POSSESSION BY A PERSON 16 YEARS OF AGE  
11                               OR OLDER AND UNDER 21 YEARS OF AGE; CIVIL  
12                               VIOLATION

13   \* \* \*

14           (b) Issuance of notice of violation. A law enforcement officer shall issue a  
15           person who violates this section with a notice of violation, in a form approved  
16           by the Court Administrator. The notice of violation shall require the person to  
17           provide ~~his or her~~ the person's name and address and shall explain procedures  
18           under this section, including that:

19                   (1) the person shall contact the Diversion Program in the county where  
20           the offense occurred within 15 days;

1 (2) failure to contact the Diversion Program within 15 days will result in  
2 the case being referred to the Judicial Bureau, where the person, if found liable  
3 for the violation, will be subject to a civil penalty and a suspension of the  
4 person’s operator’s license and may face substantially increased insurance  
5 rates;

6 (3) no money should be submitted to pay any penalty until after  
7 adjudication; and

8 (4) the person shall notify the Diversion Program if the person’s address  
9 changes.

10 \* \* \*

11 (d) Registration in Youth Substance Awareness Safety Program. Within  
12 15 days after receiving a notice of violation, the person shall contact the  
13 Diversion Program in the county where the offense occurred and register for  
14 the Youth Substance Awareness Safety Program. If the person fails to do so,  
15 the Diversion Program shall file the summons and complaint with the Judicial  
16 Bureau for adjudication under 4 V.S.A. chapter 29. The Diversion Program  
17 shall provide a copy of the summons and complaint to the law enforcement  
18 officer who issued the notice of violation and shall provide two copies to the  
19 person charged with the violation.

20 (e) Notice to report to Diversion. Upon receipt from a law enforcement  
21 officer of a summons and complaint completed under this section, the

1 Diversion Program shall send the person a notice to report to the Diversion  
2 Program. The notice to report shall provide that:

3 (1) The person is required to complete all conditions related to the  
4 offense imposed by the Diversion Program, including substance abuse  
5 screening and, if deemed appropriate following the screening, substance abuse  
6 assessment or substance abuse counseling, or both.

7 (2) If the person does not satisfactorily complete the substance abuse  
8 screening, any required substance abuse assessment or substance abuse  
9 counseling, or any other condition related to the offense imposed by the  
10 Diversion Program, the case will be referred to the Judicial Bureau, where the  
11 person, if found liable for the violation, shall be assessed a civil penalty, the  
12 person's driver's license will be suspended, and the person's automobile  
13 insurance rates may increase substantially.

14 (3) If the person satisfactorily completes the substance abuse screening,  
15 any required substance abuse assessment or substance abuse counseling, and  
16 any other condition related to the offense imposed by the Diversion Program,  
17 no penalty shall be imposed and the person's operator's license shall not be  
18 suspended.

19 (f) Diversion Program requirements.

20 (1) Upon being contacted by a person who has been issued a notice of  
21 violation, the Diversion Program shall register the person in the Youth

1 Substance Awareness Safety Program. Pursuant to the Youth Substance  
2 Awareness Safety Program, the Diversion Program shall impose conditions on  
3 the person. The conditions imposed shall include only conditions related to the  
4 offense and in every case shall include a condition requiring satisfactory  
5 completion of substance abuse screening using an evidence-based tool and, if  
6 deemed appropriate following the screening, substance abuse assessment and  
7 substance abuse education or substance abuse counseling, or both. If the  
8 screener recommends substance abuse counseling, the person shall choose a  
9 State-certified or State-licensed substance abuse counselor or substance abuse  
10 treatment provider to provide the services.

11 (2) Substance abuse screening required under this subsection shall be  
12 completed within 60 days after the Diversion Program receives a summons and  
13 complaint. The person shall complete all conditions at ~~his or her~~ the person's  
14 own expense.

15 (3) When a person has satisfactorily completed substance abuse  
16 screening, any required substance abuse education or substance abuse  
17 counseling, and any other condition related to the offense that the Diversion  
18 Program has imposed, the Diversion Program shall:

19 (A) Void the summons and complaint with no penalty due.

20 (B) Send copies of the voided summons and complaint to the Judicial  
21 Bureau and to the law enforcement officer who completed them. Before

1 sending copies of the voided summons and complaint to the Judicial Bureau  
2 under this subdivision, the Diversion Program shall redact all language  
3 containing the person’s name, address, Social Security number, and any other  
4 information that identifies the person.

5 (4) If a person does not satisfactorily complete substance abuse  
6 screening, any required substance abuse education or substance abuse  
7 counseling, or any other condition related to the offense imposed by the  
8 Diversion Program or if the person fails to pay the Diversion Program any  
9 required Program fees, the Diversion Program shall file the summons and  
10 complaint with the Judicial Bureau for adjudication under 4 V.S.A. chapter 29.  
11 The Diversion Program shall provide a copy of the summons and complaint to  
12 the law enforcement officer who issued the notice of violation and shall  
13 provide two copies to the person charged with the violation.

14 (5) A person aggrieved by a decision of the Diversion Program or  
15 alcohol counselor may seek review of that decision pursuant to Rule 75 of the  
16 Vermont Rules of Civil Procedure.

17 (6) Notwithstanding 3 V.S.A. §§ 163(a)(2)(C) and 164(a)(2)(C), the  
18 adult or juvenile diversion programs shall accept cases from the Youth  
19 Substance Awareness Safety Program pursuant to this section, 18 V.S.A.  
20 § 4230f(e)(1), or 18 V.S.A. § 4230f(e)(2). The confidentiality provisions of  
21 3 V.S.A. § 163 or 164 shall become effective when a notice of violation is

1 issued pursuant to subsection (b) of this section, 18 V.S.A. § 4230f(e)(1), or  
2 18 V.S.A. § 4230f(e)(2) and shall remain in effect unless the person fails to  
3 register with or complete the Youth Substance Awareness Safety Program.

4 \* \* \*

5 Sec. 4. RESTORATIVE JUSTICE; POST-ADJUDICATION REPARATIVE  
6 PROGRAM WORKING GROUP; REPORT

7 (a) Creation. There is created the Post-Adjudication Reparative Program  
8 Working Group to create a Post-Adjudication Reparative Program (the  
9 “Program”) that promotes uniform access to the appropriate community-based  
10 service providers for individuals sentenced to reparative boards and probation  
11 pursuant to 13 V.S.A. § 7030(a)(2) and (a)(3). The Working Group shall also  
12 study establishing a stable and reliable funding structure to support the  
13 operation of the appropriation community-based service providers.

14 (b) Membership. The Working Group shall be composed of the following  
15 members:

16 (1) the Commissioner of Corrections or designee;

17 (2) the Chief Judge of the Vermont Superior Court or designee; and

18 (3) five representatives selected from different geographic regions of the  
19 State to represent the State’s community-based restorative justice providers  
20 currently receiving reparative board funding from the Department of  
21 Corrections appointed by the providers.

- 1        (c) Powers and duties. The Working Group shall study the following  
2        issues:
- 3            (1) defining the Program and its scope;  
4            (2) determining the offenses that presumptively qualify for referral to  
5        the Program;
- 6            (3) establishing any eligibility requirements for individuals sentenced to  
7        a reparative board or probation to be referred to the Program;
- 8            (4) designing uniform operational procedures for Program referrals from  
9        the courts, intake, data collection, participant success standards, and case  
10       closures;
- 11           (5) assessing the necessary capacity and resources of the Judiciary, the  
12       Department of Corrections, and the community-based restorative justice  
13       providers to operate the Program;
- 14           (6) exploring an approach to achieve greater stability and reliability for  
15       the community-based restorative justice providers, including the Designated  
16       Agency model; and
- 17           (7) consulting with the Office of the Attorney General, the Department  
18       of State’s Attorneys and Sheriffs, the Office of the Defender General, the  
19       Center for Crime Victim Services, and other stakeholders as necessary, on  
20       considerations to incorporate into the Program.

1       (d) Assistance. The Working Group shall have the administrative,  
2       technical, and legal assistance of the Department of Corrections.

3       (e) Report and updates.

4           (1) On or before January 15, 2025, the Working Group shall provide an  
5       update to the Senate Committee on Judiciary and House Committees on  
6       Corrections and Institutions and on Judiciary concerning any progress.

7           (2) On or before July 15, 2025, the Working Group shall provide an  
8       update to the Joint Legislative Justice Oversight Committee concerning any  
9       progress.

10          (3) On or before November 15, 2025, the Working Group shall submit a  
11       written report in the form of proposed legislation to the Joint Legislative  
12       Justice Oversight Committee, the Senate Committee on Judiciary, and the  
13       House Committees on Corrections and Institutions and on Judiciary.

14       (f) Meetings.

15           (1) The Chief Judge of the Vermont Superior Court or designee shall  
16       call the first meeting of the Working Group to occur on or before August 1,  
17       2024.

18           (2) The Working Group shall meet not more than six times per year.

19           (3) The Chief Judge of the Vermont Superior Court or designee shall  
20       serve as the Chair of the Working Group.

21           (4) A majority of the membership shall constitute a quorum.



1           (5) The Working Group shall cease to exist on January 15, 2026.

2           (g) Compensation and reimbursement. Members of the Working Group  
3           who are not employees of the State of Vermont and who are not otherwise  
4           compensated or reimbursed for their attendance shall be entitled to  
5           compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010  
6           for not more than six meetings per year.

7           Sec. 5. DEPARTMENT OF STATE’S ATTORNEYS AND SHERIFFS;  
8                           POSITION; APPROPRIATION

9           (a) On July 1, 2024, a new, permanent, exempt Director of Policy position  
10           is created in the Department of State’s Attorneys and Sheriffs. In addition to  
11           any other duties deemed appropriate by the Department, the Director of Policy  
12           shall supervise the development, oversight, and compliance work related to the  
13           Council’s internal, external, and State-mandated policies.

14           (b) The position of Director of Policy established in subsection (a) of this  
15           section shall be subject to a General Fund appropriation in FY 2025.

16           Sec. 6. OFFICE OF THE ATTORNEY GENERAL; DIVERSION  
17                           PROGRAM POSITION; APPROPRIATION

18           (a) On July 1, 2024, a new, permanent, classified Diversion Program  
19           Coordinator position is created in the Office of the Attorney General. In  
20           addition to any other duties deemed appropriate by the Attorney General, the

1 Diversion Program Coordinator shall assist in the administration of the  
2 diversion programs governed by the Office of the Attorney General.

3 (b) The position of Diversion Program Coordinator established in  
4 subsection (a) of this section shall be subject to a General Fund appropriation  
5 in FY 2025.

6 Sec. 7. COMMUNITY JUSTICE UNIT; DIVERSION PROGRAM  
7 ADMINISTRATION PLAN; REPORT

8 In counties where there is more than one pre-charge and post-charge  
9 diversion provider, the Community Justice Unit of the Office of the Attorney  
10 General shall collaborate with each county’s juvenile and adult pre-charge and  
11 post-charge providers and each county’s State’s Attorney or designee to  
12 develop a plan to streamline the administration and provision of juvenile and  
13 adult pre-charge and post-charge diversion programs on or before July 1, 2026  
14 2027. The Community Justice Unit shall report on such plan in the 2026 2027  
15 annual report required pursuant to 3 V.S.A. §§ 163(b)(2) and 164(b)(2).

16 Sec. 8. OFFICE OF THE ATTORNEY GENERAL; PRE-CHARGE  
17 DIVERSION PROVIDERS; GRANTS

18 Notwithstanding 3 V.S.A. §§ 163(b)(1) and 164(b)(1), in counties where  
19 there is more than one pre-charge or post-charge diversion provider and, based  
20 on the records of the Department of Corrections, the pre-charge provider  
21 received an average of 25 pre-charge referrals per year during the three

1 preceding fiscal years, the Attorney General shall offer to grant or contract  
2 directly with all pre-charge providers in that county or provide for subgranting  
3 or subcontracting by the current post-charge provider in that county.

4 Sec. 9. OFFICE OF THE ATTORNEY GENERAL; COMMUNITY  
5 REFERRALS; FUNDING ALTERNATIVES; REPORT

6 (a) On or before December 1, 2024, the Office of the Attorney General, in  
7 consultation with community-based restorative justice providers, the  
8 Department of Public Safety, the Vermont Association of Chiefs of Police, and  
9 the Office of Racial Equity, shall submit a written report outlining funding  
10 alternatives for community referrals. The report shall include funding  
11 alternatives considering:

12 (1) state and local funding options;

13 (2) entities through which funding could be provided; and

14 (3) oversight requirements.

15 (b) As used in this section, “community referrals” mean referrals to  
16 community-based restorative justice providers that do not involve criminal  
17 offenses for which probable cause has been established.

18 Sec. 10. REDESIGNATION

19 24 V.S.A. §§ 1961–1969 are redesignated at 28 V.S.A. §§ 915–923.

20 Sec. 11. REPEALS

21 (a) 3 V.S.A. § 163(b)(1)(A) is repealed on July 1, 2029.

1 ~~(b) 3 V.S.A. § 164(b)(1)(A) is repealed on July 1, 2029.~~

2 Section 10 8 of this act is repealed on July 1, 2029.

3 Sec. 12. EFFECTIVE DATES

4 This act shall take effect on July 1, 2024 except that Sec. 1 (juvenile and  
5 adult pre-charge and post-charge diversion) and Sec. 8 (Attorney General pre-  
6 charge diversion grants) shall take effect on July 1, 2025.

7

8

9

10

11 (Committee vote: \_\_\_\_\_)

12

\_\_\_\_\_

13

Representative \_\_\_\_\_

14

FOR THE COMMITTEE

15