

1 S.17

2 Senators Clarkson, Hardy, Sears, Watson, and White recommend that the
3 Senate concur in the House proposal of amendment with further proposals of
4 amendment as follows:

5 First: By striking out Sec. 2, 24 V.S.A. § 290, in its entirety and inserting
6 in lieu thereof a new Sec. 2 to read as follows:

7 Sec. 2. 24 V.S.A. § 290 is amended to read:

8 § 290. COUNTY SHERIFF’S DEPARTMENT

9 * * *

10 (d)(1) Upon the election of a sheriff-elect who is not the incumbent sheriff,
11 ~~or upon notice of the resignation of the sheriff,~~ an announcement that the
12 incumbent sheriff will not seek reelection, or an announcement that the
13 incumbent sheriff intends to resign, whichever occurs earliest, all financial
14 disbursements from the accounts of the department, including the transfer of
15 real or personal property, or other assets, of the department, shall be co-signed
16 by the sheriff and ~~the~~ at least one assistant ~~judges~~ judge in that county, and the
17 sheriff shall, within two weeks, provide the Department of State’s Attorneys
18 and Sheriffs, the Auditor of Accounts, and the assistant judges of that county
19 with a written list of all transfers of departmental assets and financial
20 disbursements to a single source, in aggregate, greater than \$10,000.00
21 anticipated to occur before the sheriff leaves office. Assistant judges shall

1 consult with the Director of Sheriffs' Operations when considering whether to
2 co-sign any transfers of departmental assets or financial disbursements to a
3 single source, in aggregate, greater than \$10,000.00. The assistant judges shall
4 not unreasonably refuse to co-sign any disbursements or transfer of sheriff's
5 department assets.

6 (2) A report of all financial disbursements ~~or~~ and transfers made
7 pursuant to this subsection shall be forwarded by the assistant judges to the
8 Auditor of Accounts within 15 days ~~of completion of the out-going sheriff's~~
9 ~~duties~~ following the sheriff leaving office.

10 Second: By striking out Sec. 5a, sheriff's departments compensation and
11 benefits model policy, in its entirety and inserting in lieu thereof a new Sec. 5a
12 to read as follows:

13 Sec. 5a. SHERIFF'S DEPARTMENTS COMPENSATION AND BENEFITS

14 MODEL POLICY

15 (a) On or before January 1, 2024, the Department of State's Attorneys and
16 Sheriffs, after receiving input from the sheriffs and the Auditor of Accounts,
17 shall develop the Sheriff's Departments Compensation and Benefits Model
18 Policy and submit it for review and approval to the Department of Human
19 Resources and the Vermont Criminal Justice Council. The Department of
20 Human Resources and the Vermont Criminal Justice Council together may, in

1 consultation with the Department of State’s Attorneys and Sheriffs,
2 subsequently alter and update the Model Policy.

3 (b) The Sheriff’s Departments Compensation and Benefits Model Policy
4 shall address the structure and use of funds for compensation, bonuses, salary
5 supplements, retirement contributions, and employment benefits for sheriffs,
6 sheriff’s deputies, and other departmental employees.

7 (c) On or before July 1, 2024, each sheriff’s department shall adopt the
8 model Sheriff’s Departments Compensation and Benefits Model Policy. A
9 sheriff’s department may include additional provisions to the Model Policy in
10 its own policy, provided that none of these provisions contradict any
11 provisions of the Model Policy.

12 (d) Notwithstanding 24 V.S.A. § 291a(c), prior to a sheriff’s department
13 adopting the Sheriff’s Departments Compensation and Benefits Model Policy,
14 a sheriff’s department may use funds derived from contract administrative
15 overhead fees to make supplemental salary payments to a sheriff of not more
16 than 50 percent of the annual compensation for a sheriff, provided that the
17 sheriff has been in office at least two years, and to any employee of a sheriff’s
18 department or a sheriff that has been in office less than two years of not more
19 than 10 percent of the annual compensation for the employee. Funds derived
20 from contract administrative overhead fees shall not be used for any other
21 bonus or supplemental employment benefit payment.

1 Third: In Sec. 5b, 24 V.S.A. § 367, subdivision (e)(1), by striking out the
2 words “, in consultation with the Sheriff’s Executive Committee.”

3 Fourth: By adding a new sections to be Sec. 6a to read as follows:
4 Sec. 6c. 24 V.S.A. § 293(d) is added to read:

5 (d) A sheriff shall provide law enforcement and security services for each
6 county and State courthouse within the sheriff’s county of jurisdiction in
7 accordance with section 291a of this title.

8 Fifth: By striking out Sec. 10, sheriff’s departments reform; report, in its
9 entirety and inserting in lieu thereof a new Sec. 10 to read as follows:

10 Sec. 10. SHERIFF’S DEPARTMENTS REFORM; REPORT

11 On or before November 15, 2023, the Department of State’s Attorneys and
12 Sheriffs and the Vermont Criminal Justice Council, in consultation with the
13 Auditor of Accounts, the Department of Human Resources, the Vermont
14 Association of County Judges, the Chief Superior Court Judge, the Vermont
15 Sheriffs’ Association, and organizations focused on law enforcement reform,
16 shall report to the House Committee on Government Operations and Military
17 Affairs and the Senate Committee on Government Operations on the
18 following:

19 (1) recommended policies and best practices to be included in standard
20 operating procedures, manuals and policy manuals;

1 (2) increasing efficiency and equity in the delivery of public safety services
2 by sheriff's departments;

3 (3) recommendations for the compensation structure and levels of sheriffs,
4 deputies, and departmental staff, including salaries, overtime, retirement, and
5 benefits;

6 (4) the duties of sheriffs, including law enforcement and administration of
7 sheriff's departments;

8 (5) recommended membership and duties of an advisory commission for
9 sheriffs comparable to, or combined with, the Vermont State Police Advisory
10 Commission, as related to both conduct and administration of sheriff's
11 departments;

12 (6) the creation of a sustainable funding model for sheriff's departments,
13 including the consolidation or reorganization of sheriff's departments;

14 (7) recommendations for the Department of State's Attorneys and Sheriffs
15 to better provide oversight and support for State's Attorneys and sheriffs; and

16 (8) recommendations for the scope and timing of public sector management
17 training that sheriffs should receive upon election and on a continuing basis to
18 ensure departmental operations and management of public funds are consistent
19 with generally accepted standards.

1 Sixth: By striking out Sec. 11, effective dates, in its entirety and inserting
2 in lieu thereof a new Sec. 11 to read as follows:

3 Sec. 11. EFFECTIVE DATES

4 This act shall take effect on passage, except that Secs. 5 (amending 24
5 V.S.A. § 291a) and 6c (adding 24 V.S.A. § 291a(d)) shall take effect on
6 January 1, 2024.

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10 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE