

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 209
3 entitled “An act relating to prohibiting unserialized firearms and unserialized
4 firearms frames and receivers, and to juvenile offenses in the Criminal
5 Division” respectfully reports that it has considered the same and recommends
6 that the bill be amended by striking out all after the enacting clause and
7 inserting in lieu thereof the following:

8 * * *

9 Sec. 3. 33 V.S.A. § 5204 is amended to read:

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

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

21 * * *

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

4 (12) burglary into ~~an occupied dwelling as defined in a currently~~
5 occupied dwelling in violation of 13 V.S.A. § 1201(c) or an attempt to commit
6 that offense;

7 (13) carrying using a firearm while committing a felony in violation of
8 13 V.S.A. § 4005;

9 (14) trafficking a regulated drug in violation of 18 V.S.A. chapter 84,
10 subchapter 1;

11 (15) human trafficking or aggravated human trafficking in violation of
12 13 V.S.A. § 2652 or 2653, unless:

13 (A) the offender is a victim of human trafficking as defined in 13
14 V.S.A. § 2658(a)(2); or

15 (B) a law enforcement agency, a State's Attorneys' office, or the
16 Office of the Attorney General has notified the Victim's Compensation
17 Program at the Center for Crime Victims Services Unit pursuant to 13 V.S.A.
18 § 2663(a)(1) that the person reasonably appears to be a victim of human
19 trafficking; or

20 (16) aggravated stalking as defined in 13 V.S.A. § 1063(a)(3).

21 Sec. 4. EFFECTIVE DATES

1 (a) Secs. 1 and 2 of this act shall take effect on ~~January 1~~ December 31,
2 2024.

3 (b) Sec. 3 of this act and this section shall take effect on July 1, 2024.

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(Committee vote: _____)

Senator _____

FOR THE COMMITTEE