TO	THE	<b>HONOR</b>	ARIF	SFN	ΔTF·
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- The Committee on Judiciary to which was referred Senate Bill No. 4 entitled "An act relating to reducing crimes of violence associated with juveniles and dangerous weapons" respectfully reports that it has considered the same and recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:
- 7 Sec. 1. 33 V.S.A. § 5201 is amended to read:
- 8 § 5201. COMMENCEMENT OF DELINQUENCY PROCEEDINGS

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- (c)(1) Any proceeding concerning a child who is alleged to have committed an act specified in subsection 5204(a) of this title after attaining 14 years of age, but not 22 years of age, shall originate in the Criminal Division of the Superior Court, provided that jurisdiction may be transferred in accordance with this chapter and chapter 52A of this title, unless the State's Attorney files the charge directly as a youthful offender petition in the Family Division.
- (2) Any proceeding concerning a child who is alleged to have committed one of the following acts after attaining 14 years of age, but not 22 years of age, shall originate in the Criminal Division of the Superior Court, provided that jurisdiction may be transferred in accordance with this chapter and chapter 52A of this title, unless the State's Attorney files the charge directly as a youthful offender petition in the Family Division:

1	(A) carrying a dangerous weapon firearm while committing a felony
2	in violation of 13 V.S.A. § 4005;
3	(B) trafficking a regulated drug in violation of 18 V.S.A. chapter 84,
4	subchapter 1; or
5	(C) human trafficking or aggravated human trafficking in violation of
6	13 V.S.A. § 2652 or 2653.
7	* * *
8	Sec. 2. 18 V.S.A. § 4252 is amended to read:
9	§ 4252. PENALTIES FOR DISPENSING OR SELLING KNOWINGLY
10	OR RECKLESSLY PERMITTING SALE OR DISPENSING OF
11	REGULATED DRUGS IN A DWELLING
12	(a) No person shall knowingly or recklessly permit a dwelling, building, or
13	structure owned by or under the control of the person to be used for the
14	purpose of illegally dispensing or selling a regulated drug.
15	(b) A landlord shall be in violation of subsection (a) of this section only if
16	the landlord knew at the time he or she signed the lease agreement that the
17	tenant intended to use the dwelling, building, or structure for the purpose of
18	illegally dispensing or selling a regulated drug. [Repealed.]
19	(c) A person who violates this section shall be imprisoned not more than
20	two five years or fined not more than \$1,000.00 \$15,000.00, or both.
21	

I	(d) It shall not be a violation of this section if the person who owns or
2	controls the dwelling, building, or structure takes action to address the
3	unlawful activity, including reporting the unlawful activity to law enforcement
4	or initiating eviction proceedings.
5	(e) As used in this section, "recklessly" means consciously disregarding a
6	substantial and unjustifiable risk.
7	Sec. 3. 13 V.S.A. Chapter 60 is amended to read:
8	CHAPTER 60. HUMAN TRAFFICKING
9	* * *
10	§ 2659. KNOWINGLY OR RECKLESSLY PERMITTING HUMAN
11	TRAFFICKING IN A DWELLING
12	(a) No person shall knowingly or recklessly permit a dwelling, building, or
13	structure owned by or under the control of the person to be used for the
14	purpose of human trafficking or aggravated human trafficking in violation of
15	section 2652 or 2653 of this title
16	(b) A person who violates this section shall be imprisoned not more than
17	five years or fined not more than \$1,000.00 \$15,000.00 or both.
18	(c) It shall not be a violation of this section if the person who owns or
19	controls the dwelling, building, or structure takes action to address the
20	unlawful activity, including reporting the unlawful activity to law enforcement
21	or initiating eviction proceedings.

1	(d) As used in this section, "recklessly" means consciously disregarding a
2	substantial and unjustifiable risk.
3	Sec. 4. 13 V.S.A. § 4024 is added to read:
4	§ 4024. DEFACING OF FIREARM'S SERIAL NUMBER
5	(a) A person shall not knowingly possess a firearm that has had the
6	importer's or manufacturer's serial number removed, obliterated, or altered.
7	(b) A person who violates this section shall be imprisoned not more than
8	five years or fined not more than \$100,000.00, or both.
9	(c) As used in this section:
10	(1) "Firearm" has the same meaning as in section 4017 of this title.
11	(2) "Importer" means any person engaged in the business of importing
12	or bringing firearms or ammunition into the United States for purposes of sale
13	or distribution.
14	(3) "Manufacturer" means any person engaged in the business of
15	manufacturing firearms or ammunition for purposes of sale or distribution.
16	(d) Conduct constituting the offense of defacing a firearm's serial number
17	shall be considered a violent act for the purposes of determining whether a
18	person is eligible for bail under section 7553a of this title.
19	Sec. 5. 13 V.S.A. § 4025 is added to read:
20	§ 4025. STRAW PURCHASING OF FIREARMS

1	(a) A person shall not purchase a firearm for, on behalf of, or at the request
2	or demand of another person if the purchaser knows or reasonably should
3	know that the other person:
4	(1) is prohibited by state or federal law from possessing a firearm;
5	(2) intends to carry the firearm while committing a felony; or
6	(3) intends to transfer the firearm to another person who:
7	(A) is prohibited by state or federal law from possessing a firearm; or
8	(B) intends to carry the firearm while committing a felony.
9	(b) A person who violates this section shall be imprisoned not more than
10	five years or fined not more than \$100,000.00, or both.
11	(c) As used in this section, "firearm" has the same meaning as in section
12	4017 of this title.
13	(d) Conduct constituting the offense of straw purchasing of firearms shall
14	be considered a violent act for the purposes of determining whether a person is
15	eligible for bail under section 7553a of this title.
16	Sec. 6. 13 V.S.A. § 4017a is added to read:
17	§ 4017a. FUGITIVES FROM JUSTICE; PERSONS SUBJECT TO FINAL
18	RELIEF FROM ABUSE OR STALKING ORDER; PERSONS
19	CHARGED WITH CERTAIN OFFENSES; PROHIBITION ON
20	POSSESSION OF FIREARMS
21	(a) A person shall not possess a firearm if the person:

1	(1) is a fugitive from justice;
2	(2) is the subject of a final relief from abuse order issued pursuant to
3	15 V.S.A. § 1104;
4	(3) is the subject of a final order against stalking issued pursuant to 12
5	<u>V.S.A. § 5133; or</u>
6	(4) has been charged with:
7	(A) carrying a dangerous weapon while committing a felony in
8	violation of section 4005 of this title;
9	(B) trafficking a regulated drug in violation of 18 V.S.A. chapter 84,
10	subchapter 1; or
11	(C) human trafficking or aggravated human trafficking in violation of
12	section 2652 or 2653 of this title.
13	(b) A person who violates this section shall be imprisoned not more than
14	two years or fined not more than \$1,000.00, or both.
15	(c) As used in this section:
16	(1) "Firearm" has the same meaning as in section 4017 of this title.
17	(2) "Fugitive from justice" means a person who has fled to avoid
18	prosecution for a crime or to avoid giving testimony in a criminal proceeding.
19	Sec. 7. 13 V.S.A. § 4005 is amended to read:
20	§ 4005. WHILE COMMITTING A CRIME FELONY

1	(a) Except as otherwise provided in 18 V.S.A. § 4253, a person who carries
2	a dangerous or deadly weapon, openly or concealed, while committing a felony
3	shall be imprisoned not more than five years or fined not more than \$500.00,
4	or both.
5	(b) Conduct constituting the offense of carrying a dangerous or deadly
6	weapon Carrying a firearm while committing a felony in violation of this
7	section shall be considered a violent act for the purposes of determining
8	whether a person is eligible for bail under section 7553a of this title.
9	Sec. 8. 13 V.S.A. § 4020 is amended to read:
10	§ 4020. SALE OF FIREARMS TO PERSONS UNDER 21 YEARS OF AGE
11	PROHIBITED
12	(a) A person shall not sell a firearm or transfer a semiautomatic assault
13	weapon to a person under 21 years of age. A person who violates this
14	subsection shall be imprisoned for not more than one year or fined not more
15	than \$1,000.00, or both.
16	(b)(1) This Except as provided in subdivision (2) of this subsection, this
17	section shall not apply to:
18	(1)(A) a law enforcement officer;
19	(2)(B) an active or veteran member of the Vermont National Guard, of
20	the National Guard of another state, or of the U.S. Armed Forces;

1	(3)(C) a person who provides the seller with a certificate of satisfactory
2	completion of a Vermont hunter safety course or an equivalent hunter safety
3	course that is approved by the Commissioner; or
4	(4)(D) a person who provides the seller with a certificate of satisfactory
5	completion of a hunter safety course in another state or a province of Canada
6	that is approved by the Commissioner.
7	(2) The exceptions under subdivisions (1)(C) and (1)(D) of this
8	subsection shall not apply to a person who transfers a semiautomatic assault
9	weapon to a person under 21 years of age in violation of subsection (a) of this
10	section.
11	(c) As used in this section:
12	(1) "Firearm" shall have the same meaning as in subsection 4017(d) of
13	this title.
14	(2) "Law enforcement officer" shall have the same meaning as in
15	subsection 4016(a) of this title.
16	(3) "Commissioner" means the Commissioner of Fish and Wildlife.
17	(4) "Semiautomatic assault weapon" means:
18	(A) a semiautomatic rifle that has an ability to accept a detachable
19	magazine and has at least one of the following features:
20	(i) a folding or telescoping stock;

1	(ii) a pistol grip that protrudes conspicuously beneath the action of
2	the weapon;
3	(iii) a thumbhole stock;
4	(iv) a second handgrip or a protruding grip that can be held by the
5	nontrigger hand;
6	(v) a bayonet mount;
7	(vi) a flash suppressor, muzzle break, muzzle compensator, or
8	threaded barrel designed to accommodate a flash suppressor, muzzle break, or
9	muzzle compensator; or
10	(vii) a grenade launcher;
11	(B) a semiautomatic pistol that has an ability to accept a detachable
12	magazine and has at least one of the following features:
13	(i) a folding or telescoping stock;
14	(ii) a thumbhole stock;
15	(iii) a second handgrip or a protruding grip that can be held by the
16	nontrigger hand;
17	(iv) capacity to accept an ammunition magazine that attaches to
18	the pistol outside the pistol grip;
19	(v) a threaded barrel capable of accepting a barrel extender, flash
20	suppressor, forward handgrip, or silencer;

1	(vi) a shroud that is attached to, or partially or completely
2	encircles, the barrel and that permits the shooter to hold the firearm with the
3	nontrigger hand without being burned;
4	(vii) a manufactured weight of 50 ounces or more when the pistol
5	is unloaded; or
6	(viii) a semiautomatic version of an automatic firearm; or
7	(C) a semiautomatic shotgun that has at least one of the following
8	<u>features:</u>
9	(i) a folding or telescoping stock;
10	(ii) a thumbhole stock;
11	(iii) a second handgrip or a protruding grip that can be held by the
12	nontrigger hand;
13	(iv) a fixed magazine capacity in excess of seven rounds; or
14	(v) an ability to accept a detachable magazine.
15	(2) "Semiautomatic assault weapon" does not include:
16	(A) a firearm that:
17	(i) is manually operated by bolt, pump, lever, or slide action;
18	(ii) has been rendered permanently inoperable; or
19	(iii) is an antique firearm as defined in section 4017 of this title;
20	(B) a semiautomatic rifle that cannot accept a detachable magazine
21	that holds more than five rounds of ammunition; or

1	(C) a semiautomatic shotgun that cannot hold more than five rounds
2	of ammunition in a fixed or detachable magazine.
3	Sec. 9. 33 V.S.A. § 5117 is amended to read:
4	§ 5117. RECORDS OF JUVENILE JUDICIAL PROCEEDINGS
5	(a) Except as otherwise provided, court and law enforcement reports and
6	files concerning a person subject to the jurisdiction of the court shall be
7	maintained separate from the records and files of other persons. Unless a
8	charge of delinquency is transferred for criminal prosecution under chapter 52
9	of this title or the court otherwise orders in the interests of the child, such
10	records and files shall not be open to public inspection nor their contents
11	disclosed to the public by any person. However, upon a finding that a child is
12	a delinquent child by reason of commission of a delinquent act that would have
13	been a felony if committed by an adult, the court, upon request of the victim,
14	shall make the child's name available to the victim of the delinquent act. If the
15	victim is incompetent or deceased, the child's name shall be released, upon
16	request, to the victim's guardian or next of kin.
17	* * *
18	(d) Such records and files shall be available to:
19	(1) State's Attorneys and all other law enforcement officers in
20	connection with record checks and other legal purposes; and

1	(2) the National Instant Criminal Background Check System in
2	connection with a background check conducted on a person under 21 years of
3	age pursuant to 18 U.S.C. § 922(t)(1)(C) and 34 U.S.C. § 40901(1).
4	* * *
5	Sec. 10. 20 V.S.A. chapter 209 is added to read:
6	CHAPTER 209. COMMUNITY SAFETY GRANTS
7	§ 4671. COMMUNITY SAFETY GRANT PROGRAM
8	(a) There is established the Community Safety Grant Program to be
9	administered by the Department of Health in consultation with the Department
10	of Public Safety, the Director of Violence Prevention, and the Executive
11	Director of Racial Equity. The Program shall establish a process for a
12	community where there has been an increase in violence associated with illegal
13	drug use, gang activity, or human trafficking to apply for and obtain grants to
14	assist the community with community outreach and intervention, violence
15	prevention, and reducing the demand for illegal drugs. Grants awarded
16	pursuant to this section shall be at the discretion of the Commissioner of
17	Health.
18	(b) A municipality may submit an application for the Community Safety
19	Grant to the Commissioner of Health. Grants awarded under this section shall
20	be for the purpose of community outreach and intervention, violence

1	prevention, and reducing the demand for illegal drugs. Successful grant		
2	applicants shall:		
3	(1) describe, with corroborating data, how the municipality's		
4	community has been impacted by an increase in violence associated with		
5	illegal drug use, gang activity, or human trafficking;		
6	(2) provide a detailed plan for a community program designed to		
7	decrease the demand for, and violence associated with, illegal drug use, gang		
8	activity, or human trafficking in the community, including specific proposals		
9	for how the plan will successfully meet its designated goals; and		
10	(3) document the personnel needs for the program, including required		
11	staff, anticipated duties, work hours, and any specialized training necessary.		
12	(c) Awards granted by the Commissioner under this section shall be		
13	provided directly to the applying municipality.		
14	(d) Pursuant to 3 V.S.A. chapter 25, the Commissioner shall adopt rules		
15	necessary to administer the Grant Program established in this section. Rules		
16	shall address:		
17	(1) timelines for application and reapplication;		
18	(2) additional application criteria; and		
19	(3) procedures for review of grant expenditures and program evaluation.		

1	Sec. 11. APPROPRIATION
2	(a) The sum of \$10,000,000.00 is appropriated from the General Fund to
3	the Department of Health in fiscal year 2024 for the purpose of supporting the
4	Community Safety Grant Program established by 20 V.S.A. § 4671.
5	(b) If funding is available for the Community Safety Grant Program from
6	federal grants or legal settlements related to drug use or criminal activity:
7	(1) such federal or settlement funds shall be utilized first for the
8	Program; and
9	(2) an amount of the General Fund appropriation made under subsection
10	(a) of this section equal to the total amount of federal grants or legal
11	settlements received by the Program shall be reverted to the General Fund.
12	Sec. 12. 2018 Acts and Resolves No. 201, Sec. 21, as amended by 2022 Acts
13	and Resolves No. 160, Sec. 1, is amended to read:
14	Sec. 21. EFFECTIVE DATES
15	* * *
16	(d) Secs. 17–19 shall take effect on July 1, 2023 July 1, 2024.
17	Sec. 13. 2020 Acts and Resolves No. 124, Sec. 12, as amended by 2022 Acts
18	and Resolves No. 160, Sec. 2, is amended to read:
19	Sec. 12. EFFECTIVE DATES
20	(a) Secs. 3 (33 V.S.A. § 5103(c)) and 7 (33 V.S.A. § 5206) shall take effect
21	on <del>July 1, 2023</del> <u>July 1, 2024</u> .

1	* * *	
2	Sec. 14. PLAN FOR SECURE PLACEMI	ENTS
3	(a) On or before September 1, 2023 and	December 1, 2023, the Department
4	for Children and Families shall file a status	reports to the Joint Legislative
5	Justice Oversight Committee and the Senat	e and House Committees on
6	Judiciary describing the progress made tow	vard implementing the requirement
7	of Secs. 12 and 13 of this act that the Raise	the Age initiative take effect on
8	July 1, 2024.	
9	Sec. 12. EFFECTIVE DATE	
10	This act shall take effect on passage.	
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17	(Committee vote:)	
18		
19		Senator
20		FOR THE COMMITTEE