

No. 86. An act relating to procedures for release after arrest.

(H.744)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. Rule 3 of the Vermont Rules of Criminal Procedure is amended to read:

Rule 3. Arrest Without Warrant; Citation to Appear

* * *

(k) Temporary Release. A law enforcement officer arresting a person shall contact a judicial officer for determination of temporary release pursuant to Rule 5(b) of these rules without unnecessary delay. The law enforcement officer shall provide the judicial officer with an affidavit or sworn statement as required by Rule 4(a) of these rules, and information upon which the determination as to temporary release may be made. ~~The affidavit or sworn statement must indicate the crimes to be charged by the arresting officer. The~~ procedures and standards established by the Presiding Judge of each unit pursuant to Rule 5(b) may require that the affidavit or sworn statement include the charge or charges that the prosecuting attorney intends to file and may require that the affidavit also include any conditions of release, including bail or an order to hold without bail, that the prosecuting attorney is requesting.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 2, 2026.

Date Governor signed bill: April 27, 2026