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Introduced by Representatives LaLonde of South Burlington, Arsenault of
Williston, Dolan of Essex Junction, and Rachelson of
Burlington

Referred to Committee on

Date:

Subject: Delinquency proceedings; minimum age

Statement of purpose of bill as introduced: This bill proposes to increase the
minimum age at which a child may be subject to juvenile delinquency
proceedings from 10 to 12.

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An act relating to increasing the minimum age for delinquency proceedings

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

Sec. 1. 33 V.S.A. § 5102 is amended to read:

§ 5102. DEFINITIONS AND PROVISIONS OF GENERAL APPLICATION

As used in the juvenile judicial proceedings chapters:

* * *

(2) “Child” means any of the following:

* * *

(C) An individual who has been alleged to have committed or has
committed an act of delinquency after becoming ~~10~~ 12 years of age and prior

1 to becoming 22 years of age, unless otherwise provided in chapter 52 or 52A
2 of this title; provided, however:

3 (i) that an individual who is alleged to have committed an act
4 before attaining ~~10~~ 12 years of age that would be murder as defined in
5 13 V.S.A. § 2301 if committed by an adult may be subject to delinquency
6 proceedings; and

7 (ii) that an individual may be considered a child for the period of
8 time the court retains jurisdiction under section 5104 of this title.

9 * * *

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on passage.