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H.108

Introduced by Representative Rachelson of Burlington

Referred to Committee on

Date:

Subject: Domestic relations; penalty for desertion or nonsupport

Statement of purpose of bill as introduced: This bill proposes to repeal the criminal penalty for failure of an adult child to support the adult child's parent if that parent is destitute and unable to support themselves.

An act relating to filial support

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

Sec. 1. 15 V.S.A. § 202 is amended to read:

§ 202. PENALTY FOR DESERTION OR NONSUPPORT

A married person who, without just cause, shall desert or willfully neglect or refuse to provide for the support and maintenance of ~~his or her~~ the person's spouse and children, leaving them in destitute or necessitous circumstances or a parent who, without lawful excuse, shall desert or willfully neglect or refuse to provide for the support and maintenance of ~~his or her~~ the child ~~or an adult child possessed of sufficient pecuniary or physical ability to support his or her parents, who unreasonably neglects or refuses to provide such support when the parent is destitute, unable to support himself or herself, and resident in this~~

1 ~~State~~, shall be imprisoned not more than two years or fined not more than
2 \$300.00, or both. Should a fine be imposed, the court may order the same to
3 be paid in whole or in part to the needy spouse, ~~parent~~, or to the guardian,
4 custodian, or trustee of the child. The Office of Child Support attorneys, in
5 addition to any other duly authorized person, may prosecute cases under this
6 section in Vermont Superior Court.

7 Sec. 2. EFFECTIVE DATE

8 This act shall take effect on passage.