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H.395

Introduced by Representative Greer of Bennington

Referred to Committee on

Date:

Subject: Municipal and county government; police; Municipal Law  
Enforcement Assistance Program

Statement of purpose of bill as introduced: This bill proposes to create the  
Municipal Law Enforcement Assistance Program. This bill proposes to  
authorize municipalities to vote to adopt a local penalty surcharge on civil  
penalties collected by the Judicial Bureau for violations or offenses that  
occurred within the municipality. This bill also proposes to require the Judicial  
Bureau to administer the Program, collect the local penalty surcharge, and  
remit the monies to the municipality for which the penalty was collected. This  
bill further proposes to require any municipality that receives monies from the  
Program to use those monies exclusively for establishing, supporting,  
maintaining, or improving law enforcement services within the municipality.

An act relating to creating the Municipal Law Enforcement Assistance  
Program

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

2 Sec. 1. 24 V.S.A. § 1944 is added to read:

3 § 1944. MUNICIPAL LAW ENFORCEMENT ASSISTANCE PROGRAM

4 (a) There is created the Municipal Law Enforcement Assistance Program to  
5 provide funding to municipalities for the purpose of establishing, maintaining,  
6 or improving law enforcement presence and operations within a municipality.  
7 The Program and funds within the Program shall be managed by the Judicial  
8 Bureau.

9 (b) If the legislative body of a municipality by a majority vote  
10 recommends, the voters of a municipality may, at an annual or special meeting  
11 warned for that purpose, by a majority vote, assess a local penalty surcharge of  
12 \$75.00 pursuant to this section. A local penalty surcharge shall only be applied  
13 to civil money penalties assessed by the Judicial Bureau for any of the matters  
14 under its jurisdiction pursuant to 4 V.S.A. § 1102. A local penalty surcharge  
15 shall only be applied to civil penalties for violations or offenses committed  
16 within a municipality that has voted to establish a local penalty surcharge.

17 (c) Within 10 days after an affirmative vote to assess a local penalty  
18 surcharge, the clerk of a municipality shall notify the Judicial Bureau of the  
19 results of the vote and provide a certified copy of the results of the vote. The  
20 local option surcharge shall be effective beginning on the next fiscal year

1 quarter following 90 days' notice to the Judicial Bureau pursuant to this  
2 subsection.

3 (d)(1) Any local penalty surcharge imposed under the authority of this  
4 section shall be collected and administered by the Judicial Bureau. The  
5 Judicial Bureau may retain not more than \$5.00 of the local penalty surcharge  
6 to compensate the Judicial Bureau for the costs of administering and collecting  
7 the local penalty surcharge. The fee shall be subject to the provisions of  
8 32 V.S.A. § 605.

9 (2) Notwithstanding any other law or municipal charter to the contrary,  
10 if the Judicial Bureau determines that a local penalty surcharge was assessed  
11 for a violation or offense in a municipal corporation that has not authorized a  
12 local penalty surcharge under this section, the Judicial Bureau shall refund the  
13 surcharge to the payor of the surcharge.

14 (e) The monies collected by the Judicial Bureau pursuant to this section  
15 shall be remitted on a quarterly basis to the municipality for which the  
16 surcharge was collected.

17 (f) A municipality shall use the monies received pursuant to this section  
18 exclusively to establish, support, maintain, or improve law enforcement  
19 services and operations within the municipality.

20 (g) As used in this section, "municipality" means a city or town.

1       Sec. 2. EFFECTIVE DATE

2       This act shall take effect on July 1, 2025.