

1 H.559

2 An act relating to the Parole Board

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

4 Sec. 1. 28 V.S.A. § 403 is amended to read:

5 § 403. POWERS AND RESPONSIBILITIES OF THE COMMISSIONER
6 REGARDING PAROLE

7 The Commissioner is charged with the following powers and
8 responsibilities regarding the administration of parole:

9 * * *

10 (6) To provide regular training for the Parole Board, at least annually, in
11 collaboration with the Parole Board Director and the Chair of the Parole Board,
12 on topics related to criminogenic behavior, mental health disorders, substance
13 use treatment, trauma-informed work with victims of crime, and serious crime
14 rehabilitation.

15 Sec. 2. 28 V.S.A. § 451 is amended to read:

16 § 451. CREATION OF BOARD

17 (a)(1) A Parole Board of ~~five~~ seven members is created. The Governor,
18 with the advice and consent of the Senate, shall appoint ~~five regular~~ members
19 ~~and two alternates~~ for terms of three years in such a manner that not more than
20 three terms shall expire annually. Initial terms may be less than three years.

1 Each member ~~and alternate~~ shall hold office until a successor is appointed and
2 qualified. The Governor shall designate the Board's chair.

3 (2) Upon notification of a vacancy, the Governor shall consult with the
4 Parole Board Director and the Chair of the Parole Board. As far as practicable,
5 the Governor shall appoint as members persons who have knowledge of and
6 experience in ~~correctional treatment, crime prevention, or human relations~~
7 criminogenic behavior, mental health treatment, substance use disorder, or
8 serious crime rehabilitation, and shall give consideration, as far as practicable,
9 to geographic representation of the State and a balance of different knowledge
10 and experience.

11 (3) The Board shall select one of its members to serve as Vice Chair of
12 the Board. If the Chair resigns or is otherwise permanently unable to serve on
13 the Board, the Vice Chair shall serve as interim chair until the Governor
14 designates a new chair pursuant to this section. ~~The Chair or the executive~~
15 ~~director may assign alternates to serve on the Board in the absence of a regular~~
16 ~~member and such alternates shall have all the powers and authority of a regular~~
17 ~~member when so assigned.~~

18 (b) Three members of the Board shall constitute a quorum for the conduct
19 of a meeting. Notwithstanding 1 V.S.A. § 172, the concurrence of a majority
20 of members present at a Parole Board meeting shall be necessary and sufficient
21 for Board action.

1 (c) The Chair of the Parole Board shall be entitled to compensation in the
2 amount of \$20,500.00 annually, effective on the first pay period in fiscal year
3 2006, which shall be in lieu of any per diem otherwise authorized by law. If
4 the Vice Chair assumes the duties of the Chair for a period in excess of 30
5 consecutive days, the compensation otherwise payable to the Chair during ~~his~~
6 ~~or her~~ the Chair's absence shall be paid to the Vice Chair.

7 (d) At least annually, each member of the Parole Board shall attend
8 trainings designated by the Parole Board Director in collaboration with the
9 Chair of the Parole Board.

10 Sec. 3. 28 V.S.A. § 455 is amended to read:

11 § 455. DIRECTOR

12 (a) The position of Parole Board Director is created. The Director shall be
13 appointed by the Governor after consultation with the Board.

14 (b) The Director shall serve for a term of four years commencing on March
15 1 and continuing until ~~his or her~~ a successor is appointed.

16 (c) The Director shall be exempt from classified State service.

17 (d) The Secretary of Human Services, in consultation with the Parole Board
18 and the Department of Human Resources, shall establish the minimum and
19 preferred qualifications, duties, and compensation of the Director.

20 (e) The Director shall be responsible for the overall function of the Parole
21 Board, ensuring legal compliance, developing and implementing all policies

1 and procedures of the Board, and developing and providing training to the
2 Board, in collaboration with the Commissioner and the Chair of the Parole
3 Board.

4 Sec. 4. PAROLE BOARD LEGAL COUNSEL PILOT PROJECT

5 (a) There is created the Parole Board Legal Counsel Pilot Project to provide
6 external legal support for:

7 (1) annual training to the Board, including on topics related to due
8 process and parole violations; and

9 (2) legal advice to the Board as needed related to Board hearings.

10 (b) The Office of the Attorney General shall coordinate with the Board and
11 the Agency of Human Services to identify and contract with external legal
12 support.

13 (c) As part of the fiscal year 2028 budget development process, the Agency
14 of Human Services and the Department of Corrections shall coordinate with
15 the Parole Board Director to evaluate the pilot project and determine resources
16 needed for Board external legal support for fiscal year 2028.

17 (d) On or before November 15, 2026, the Parole Board Director shall
18 submit a written report to the House Committee on Corrections and Institutions
19 detailing the operation of the pilot project. The report shall include a
20 recommendation regarding legal support for the Board going forward and the
21 resources needed.

1 Sec. 5. DEPARTMENT OF CORRECTIONS FISCAL YEAR 2026

2 CARRYFORWARD

3 The \$25,000.00 General Fund appropriated to the Department of
4 Corrections for third-party legal services in 2025 Acts and Resolves No. 27,
5 Sec. B.336 shall carry forward into fiscal year 2027 for the purpose of hiring
6 external legal counsel pursuant to Sec. 4 of this act.

7 Sec. 6. APPROPRIATION

8 The sum of \$50,000.00 is appropriated from the General Fund to the
9 Department of Corrections in fiscal year 2027 for the purpose of hiring
10 external legal counsel pursuant to Sec. 4 of this act.

11 Sec. 7. PAROLE BOARD BUDGET SUBMISSION IN FISCAL YEAR

12 2028 AND FISCAL YEAR 2029

13 (a) As part of the fiscal year 2028 and fiscal year 2029 budget development
14 processes, the Parole Board Director shall submit a proposed budget to the
15 Commissioner of the Department of Corrections and Secretary of the Agency
16 of Human Services.

17 (b) On or before December 15, 2027, the Parole Board Director shall
18 submit a written report to the House Committee on Corrections and Institutions
19 detailing the budget development process. The report shall include a
20 recommendation regarding the Parole Board submitting an annual budget to
21 the Commissioner of the Department of Corrections.

1 Sec. 8. EFFECTIVE DATE

2 This act shall take effect on July 1, 2026.