

1

H.657

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Introduced by Representatives McGill of Bridport, Arsenault of Williston,

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Berbeco of Winooski, Bishop of Colchester, Bluemle of

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Burlington, Bos-Lun of Westminster, Burkhardt of South

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Burlington, Casey of Montpelier, Cina of Burlington, Cole of

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Hartford, Donahue of Northfield, Duke of Burlington, Headrick

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of Burlington, Holcombe of Norwich, LaMont of Morristown,

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Logan of Burlington, Mrowicki of Putney, Olson of Starksboro,

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Pezzo of Colchester, Rachelson of Burlington, Tomlinson of

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Winooski, and Waszazak of Barre City

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Referred to Committee on

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Date:

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Subject: Human services; child welfare services; unaccompanied homeless

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youth; medical care; receipt of benefits; vital records

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Statement of purpose of bill as introduced: This bill proposes to enable an

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unaccompanied homeless youth to obtain a certification from the Department

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for Children and Families' Division of Family Services that would allow the

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unaccompanied homeless youth to obtain certain services and care without the

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consent of a parent or guardian.

1 An act relating to enabling unaccompanied homeless youth to obtain certain
2 services without parental consent

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

4 Sec. 1. 33 V.S.A. § 4907 is added to read:

5 § 4907. UNACCOMPANIED HOMELESS YOUTH

6 (a) Definition. As used in this section, “unaccompanied homeless youth”
7 means an individual who is 16 years of age or older and is not in the physical
8 custody of a parent or guardian, including a youth who has run away from
9 home, who has been forced to leave home, or whose parents have left the area
10 and left the youth behind.

11 (b) Certification. An unaccompanied homeless youth may become
12 certified if the youth is:

13 (1) found by a school district’s liaison for homeless children and youths
14 or other appropriate staff person to be an unaccompanied homeless youth
15 eligible for services pursuant to the McKinney-Vento Homeless Assistance
16 Act, 42 U.S.C. § 11431 et seq.; and

17 (2) believed to qualify as an unaccompanied homeless youth, as that
18 term is defined by the McKinney-Vento Homeless Assistance Act by:
19 (A) the director of an emergency shelter program funded by the
20 Vermont Housing Opportunity Program (HOP) or the director’s designee;

1 (B) the director of a runaway or homeless youth program funded by
2 the U.S. Department of Health and Human Services or the U.S. Department of
3 Housing and Urban Development or the director's designee; or
4 (C) a continuum of care lead agency, or its designee.

5 (c) Proof of certification.

6 (1) The Department's Division of Family Services shall develop a
7 standardized form that shall be used by the entities specified in subdivision
8 (b)(2) of this section to certify qualifying unaccompanied homeless youths.
9 The front of the form shall include the circumstances that qualify the youth; the
10 date the youth was certified; and the name, title, and signature of the certifying
11 individual. This section shall be reproduced in its entirety on the back of the
12 form.

13 (2) A certified unaccompanied homeless youth may use the completed
14 form to:

15 (A) apply at no charge and without parental consent for a nondriver
16 identification card pursuant to 23 V.S.A. § 115, a learner's permit pursuant to
17 23 V.S.A. § 617, or operator's license or operator's privilege card pursuant to
18 23 V.S.A. § 608;

19 (B) obtain a vital event certificate without parental consent and at no
20 charge pursuant to 18 V.S.A. § 5017;

1 (C) consent to care by health care professionals licensed or certified
2 in Vermont, including medical care; dental care; mental health care services,
3 including psychological counseling and treatment, psychiatric treatment, and
4 substance use prevention and treatment services; and surgical diagnosis and
5 treatment, including medical diagnosis and treatment, such as preventive care
6 and care provided in a health care facility, as defined in 18 V.S.A. § 9432, for:

7 (i) themselves; or
8 (ii) the youth's child, if the certified unaccompanied homeless
9 youth is unmarried, is the parent of the child, and has actual custody of the
10 child;

11 (D) enter into an agreement for housing or obtain admission to a
12 shelter;

13 (E) obtain employment, pursuant to 21 V.S.A. chapter 5, subchapter
14 4;

15 (F) purchase an automobile and obtain an automobile liability policy
16 that meets the requirements of 23 V.S.A. chapter 11;

17 (G) obtain a student loan;

18 (H) obtain admission to high school or postsecondary school;

19 (I) open an account at a State- or federally chartered bank or credit
20 union; and

1 (J) receive services for victims of domestic or sexual violence, as
2 appropriate.

3 (d) Use of certification form. A health care professional may accept the
4 completed form as proof of the youth's status as a certified unaccompanied
5 homeless youth and may keep a copy of the form or card in the youth's
6 medical file.

7 (e) Consent of a parent or guardian.

8 (1) An unaccompanied homeless youth's parent or guardian shall
9 consent to the youth living independently or obtaining a benefit or service
10 pursuant to subsection (c) of this section, but consent can be implied by the act
11 of forcing the youth out of the home, refusing to provide financial support to
12 the youth, or abuse and neglect. Consent also can be demonstrated by a letter
13 from a homeless service provider or school district homeless liaison or other
14 appropriate staff member. For any service or benefit authorized under
15 subsection (c) of this section, if a parent's or guardian's consent is required to
16 obtain the service or benefit, the Division shall stand in loco parentis and
17 provide the necessary consent in the place of the unaccompanied homeless
18 youth's parent or guardian.

19 (2) For the purposes of implementing subdivision (c)(2)(I) of this
20 section, the Division shall consult with the Commissioner of Financial
21 Regulation to ensure that minimum youth certification requirements are met

1 for the purpose of making it legally permissible for a bank, credit union, or
2 insurance company to contract with an unaccompanied homeless youth without
3 the assistance of a parent or guardian and with the understanding that the
4 unaccompanied homeless youth may not have a permanent physical address.

5 (f) Immunity from liability. Any entity, provider, or health care
6 professional who contracts with an unaccompanied homeless youth pursuant to
7 this section shall be immune from liability for the determination to contract
8 with a minor, unless the entity, provider, or health care professional acted with
9 gross negligence.

10 * * * Vital Event Certificates * * *

11 Sec. 2. 18 V.S.A. § 5017 is amended to read:

12 § 5017. FEES FOR COPIES

13 (a) For a certified copy of a vital event certificate, the fee shall be \$10.00.
14 (b) The State Registrar shall waive the fee for certified copies of vital event
15 certificates issued to:
16 (1) an individual attesting to a lack of fixed, regular, and adequate
17 nighttime residence; and
18 (2) an individual between 18 and 24 years of age who resided in a foster
19 home or residential child care facility between 16 and 18 years of age pursuant
20 to placement by a child-placing agency; and

1 (3) an unaccompanied homeless youth who has obtained a certification
2 pursuant to 33 V.S.A. § 4907.

3 * * * Nondriver Identification Cards * * *

4 Sec. 3. 23 V.S.A. § 115 is amended to read:

5 § 115. NONDRIVER IDENTIFICATION CARDS

6 (a)(1) Any Vermont resident may make application to the Commissioner
7 and be issued an identification card that is attested by the Commissioner as to
8 true name, correct age, residential address unless the listing of another address
9 is requested by the applicant or is otherwise authorized by law, and any other
10 identifying data as the Commissioner may require that shall include, in the case
11 of minor applicants, the written consent of the applicant's parent, guardian, or
12 other person standing in loco parentis.

13 * * *

14 (3) The Commissioner shall require payment of a fee of \$29.00 at the
15 time application for an identification card is made, except that an initial
16 nondriver identification card shall be issued at no charge to:

17 (A) an individual who surrenders the individual's license in
18 connection with a suspension or revocation under subsection 636(b) of this title
19 due to a physical or mental condition; or

6 * * *

7 * * * License and Privilege Cards * * *

8 Sec. 4. 23 V.S.A. § 608 is amended to read:

9 § 608. FEES

* * *

11 (c)(1) Individuals under 23 years of age who were in the care and custody
12 of the Commissioner for Children and Families pursuant to 33 V.S.A.
13 § 4903(4) in Vermont after attaining 14 years of age shall be provided with
14 operator's licenses or operator privilege cards at no charge.

19 (d) Individuals receiving Supplemental Security Income or Social Security
20 Disability Income and individuals with a disability as defined in 9 V.S.A.

1 § 4501 shall be provided with operator's licenses or operator privilege cards
2 for the following fees:

3 (1) Original issuance: \$20.00.

4 (2) Renewal every four years: \$20.00.

7 (e)(1) An unaccompanied homeless youth who has obtained a certification
8 pursuant to 33 V.S.A. § 4907 shall be provided with operator's licenses or
9 operator privilege cards at no charge.

13 * * * Learner's Permit * * *

14 Sec. 5. 23 V.S.A. § 617 is amended to read:

15 § 617. LEARNER'S PERMIT

* * *

17 (b)(1) Notwithstanding the provisions of subsection (a) of this section, any
18 licensed person may apply to the Commissioner of Motor Vehicles for a
19 learner's permit for the operation of a motorcycle in the form prescribed by the
20 Commissioner. The Commissioner shall offer both a motorcycle learner's
21 permit that authorizes the operation of three-wheeled motorcycles only and a

1 motorcycle learner's permit that authorizes the operation of any motorcycle.
2 The Commissioner shall require payment of a fee of \$24.00 at the time
3 application is made, except that no fee shall be charged for an unaccompanied
4 homeless youth who has obtained a certification pursuant to 33 V.S.A. § 4907
5 or for an individual under 23 years of age who was in the care and custody of
6 the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4)
7 in Vermont after attaining 14 years of age.

8 (2) After the applicant has successfully passed all parts of the applicable
9 motorcycle endorsement examination, other than a skill test, the Commissioner
10 may issue to the applicant a learner's permit that entitles the applicant, subject
11 to subsection 615(a) of this title, to operate a three-wheeled motorcycle only,
12 or to operate any motorcycle, upon the public highways for a period of 120
13 days from the date of issuance. The fee for the examination shall be \$11.00,
14 except that no fee shall be charged for an unaccompanied homeless youth who
15 has obtained a certification pursuant to 33 V.S.A. § 4907 or for an individual
16 under 23 years of age who was in the care and custody of the Commissioner
17 for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after
18 attaining 14 years of age.

19 (3) A motorcycle learner's permit may be renewed only twice upon
20 payment of a \$24.00 fee. An unaccompanied homeless youth who has
21 obtained a certification pursuant to 33 V.S.A. § 4907 and an individual under

1 23 years of age who was in the care and custody of the Commissioner for
2 Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after
3 attaining 14 years of age shall not be charged a fee for the renewal of a
4 motorcycle learner's permit.

5 * * *

6 (d)(1) An applicant shall pay \$24.00 to the Commissioner for each
7 learner's permit or a duplicate or renewal thereof.

14 * * *

15 * * * Effective Date * * *

16 Sec. 6. EFFECTIVE DATE

17 This act shall take effect on July 1, 2026