

1 S.301

2 Introduced by Senators Gulick, Major and Ram Hinsdale

3 Referred to Committee on

4 Date:

5 Subject: Prohibited acts; public accommodations; unfair housing practices;

6 discrimination; hate crimes; Executive Branch; civil rights

7 Statement of purpose of bill as introduced: This bill proposes to make

8 numerous miscellaneous amendments to the laws against discrimination and to

9 establish the Civil Rights Coordinating Council and the Civil Rights and Equal

10 Protection Special Fund.

11 An act relating to miscellaneous amendments to the prohibitions on
12 discrimination

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

14 * * * Short Title, Purpose, and Findings * * *

15 Sec. 1. SHORT TITLE

16 This act may be cited as “the Vermont Civil Rights Sovereignty and Equal
17 Protection Act of 2026.”

18 Sec. 2. PURPOSE

19 The purpose of this act is to:

1 (1) modernize, unify, and expand Vermont’s civil rights protections to
2 ensure the equal enjoyment of liberty, dignity, and opportunity for all
3 individuals in the State of Vermont;

4 (2) integrate and strengthen civil rights protections across titles;

5 (3) establish a comprehensive, State-funded and State-controlled civil
6 rights enforcement system that is fully independent of federal funding or policy
7 shifts; and

8 (4) replace lost federal civil rights enforcement capacity and mitigate
9 federal rollbacks by establishing Vermont-specific standards, remedies, and
10 institutions.

11 Sec. 3. LEGISLATIVE FINDINGS

12 The General Assembly finds:

13 (1) Federal rollbacks in civil rights enforcement, reductions in staffing,
14 and withdrawal of programmatic funding threaten the equal protection of
15 Vermonters.

16 (2) Vermont statutes currently contain fragmented and inconsistent
17 definitions, enforcement standards, and remedies, producing confusion and
18 uneven protection.

19 (3) Systemic discrimination, including discrimination that arises through
20 disparate impact, undermines democracy, the rule of law, and Vermont’s
21 constitutional commitment to equality.

1 (iii) Conduct may constitute unlawful harassment, regardless of
2 whether:

3 * * *

4 (IV) despite the conduct, the complaining person was able to:

5 (aa) use the place of public accommodation or any of the
6 accommodations, advantages, facilities, goods, services, or privileges of the
7 place of public accommodation; or

8 * * *

9 Sec. 6. 9 V.S.A. § 4502 is amended to read:

10 § 4502. PUBLIC ACCOMMODATIONS

11 (a) An owner or operator of a place of public accommodation or an agent
12 or employee of such owner or operator shall not, because of the race, ~~ereed~~
13 religion, color, national origin, citizenship, immigration status, marital status,
14 sex, sexual orientation, ~~or~~ gender identity, source of income, housing status,
15 veteran status, or crime victim status of any person, refuse, withhold from, or
16 deny to that person any of the accommodations, advantages, facilities, goods,
17 services, and privileges of the place of public accommodation.

18 * * *

19 Sec. 7. 9 V.S.A. § 4503 is amended to read:

20 § 4503. UNFAIR HOUSING PRACTICES

21 (a) It shall be unlawful for any person:

1 (1) To refuse to sell or rent, or refuse to negotiate for the sale or rental
2 of, or otherwise make unavailable or deny, a dwelling or other real estate to
3 any person because of the race, sex, sexual orientation, gender identity, age,
4 marital status, ~~religious-creed~~ religion, color, national origin, citizenship,
5 immigration status, veteran status, crime victim status, or disability of a person,
6 or because a person intends to occupy a dwelling with one or more minor
7 children, or because a person is a recipient of public assistance, or because a
8 person is a victim of abuse, sexual assault, or stalking.

9 (2) To discriminate against, or to harass, any person in the terms,
10 conditions, privileges, and protections of the sale or rental of a dwelling or
11 other real estate, or in the provision of services or facilities in connection with
12 a dwelling or other real estate, because of the race, sex, sexual orientation,
13 gender identity, age, marital status, ~~religious-creed~~ religion, color, national
14 origin, citizenship, immigration status, veteran status, crime victim status, or
15 disability of a person, or because a person intends to occupy a dwelling with
16 one or more minor children, or because a person is a recipient of public
17 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

18 (3) To make, print, or publish, or cause to be made, printed, or published
19 any notice, statement, or advertisement, with respect to the sale or rental of a
20 dwelling or other real estate that indicates any preference, limitation, or
21 discrimination based on race, sex, sexual orientation, gender identity, age,

1 marital status, ~~religious-creed~~ religion, color, national origin, citizenship,
2 immigration status, veteran status, crime victim status, or disability of a person,
3 or because a person intends to occupy a dwelling with one or more minor
4 children, or because a person is a recipient of public assistance, or because a
5 person is a victim of abuse, sexual assault, or stalking.

6 (4) To represent to any person because of the race, sex, sexual
7 orientation, gender identity, age, marital status, ~~religious-creed~~ religion, color,
8 national origin, citizenship, immigration status, veteran status, crime victim
9 status, or disability of a person, or because a person intends to occupy a
10 dwelling with one or more minor children, or because a person is a recipient of
11 public assistance, or because a person is a victim of abuse, sexual assault, or
12 stalking, that any dwelling or other real estate is not available for inspection,
13 sale, or rental when the dwelling or real estate is in fact so available.

14 * * *

15 (6) To discriminate against any person in the making or purchasing of
16 loans or providing other financial assistance for real-estate-related transactions
17 or in the selling, brokering, or appraising of residential real property, because
18 of the race, sex, sexual orientation, gender identity, age, marital status,
19 ~~religious-creed~~ religion, color, national origin, citizenship, immigration status,
20 veteran status, crime victim status, or disability of a person, or because a
21 person intends to occupy a dwelling with one or more minor children, or

1 because a person is a recipient of public assistance, or because a person is a
2 victim of abuse, sexual assault, or stalking.

3 (7) To engage in blockbusting practices, for profit, which may include
4 inducing or attempting to induce a person to sell or rent a dwelling by
5 representations regarding the entry into the neighborhood of a person or
6 persons of a particular race, sex, sexual orientation, gender identity, age,
7 marital status, ~~religious creed~~ religion, color, national origin, citizenship,
8 immigration status, veteran status, crime victim status, or disability of a person,
9 or because a person intends to occupy a dwelling with one or more minor
10 children, or because a person is a recipient of public assistance, or because a
11 person is a victim of abuse, sexual assault, or stalking.

12 (8) To deny any person access to or membership or participation in any
13 multiple listing service, real estate brokers' organization, or other service,
14 organization, or facility relating to the business of selling or renting dwellings,
15 or to discriminate against any person in the terms or conditions of such access,
16 membership, or participation, on account of race, sex, sexual orientation,
17 gender identity, age, marital status, ~~religious creed~~ religion, color, national
18 origin, citizenship, immigration status, veteran status, crime victim status, or
19 disability of a person, or because a person is a recipient of public assistance, or
20 because a person is a victim of abuse, sexual assault, or stalking.

21 * * *

1 (a) “Municipal employer” means an employer as defined in subdivision
2 1722(13) of this title.

3 (b) The Executive Branch of the State of Vermont and all municipal
4 employers shall provide mandatory training to employees on the provisions of
5 chapter 5, subchapter 6 of this title.

6 * * * Civil Rights Council and Special Fund * * *

7 Sec. 10. 3 V.S.A. chapter 7, subchapter 3 is added to read:

8 Subchapter 3. Civil Rights and Equal Protection

9 § 171. CIVIL RIGHTS COORDINATING COUNCIL

10 (a) Creation. The Civil Rights Coordinating Council is created to ensure
11 statewide alignment, coordination, and accountability across civil rights
12 enforcement agencies, entities, and programs.

13 (b) Membership. The Council shall be overseen by the Office of the
14 Attorney General and shall be composed of the following members:

15 (1) the Attorney General or designee;

16 (2) the Executive Director of the Vermont Human Rights Commission
17 or designee;

18 (3) the Executive Director of Racial Equity or designee;

19 (4) the Commissioner of Housing and Community Development or
20 designee;

21 (5) the Commissioner of Labor or designee;

1 (6) the Commissioner of Public Safety or designee;

2 (7) the Commissioner of Health or designee;

3 (8) one member of a municipal civil-rights board, appointed by the
4 Vermont League of Cities and Towns;

5 (9) one member of a school district or supervisory union, appointed by
6 the Vermont School Boards Association;

7 (10) one member with lived experience of discrimination, appointed by
8 the Vermont Human Rights Commission;

9 (11) one member representing a community civil rights or racial justice
10 organization, appointed by the Governor;

11 (12) one member representing the rights of individuals with disabilities,
12 appointed by the Vermont Developmental Disabilities Council; and

13 (13) one member representing the LGBTQ+ community, appointed by
14 the Pride Center of Vermont or successor organization.

15 (c) Duties and responsibilities. The Council shall:

16 (1) coordinate and ensure alignment of enforcement actions among the
17 Attorney General, the Vermont Human Rights Commission, and the Office of
18 Racial Equity;

19 (2) develop uniform policies for handling complaints, investigations,
20 data collection and reporting, and analysis of disparate impacts;

1 (3) develop and disseminate civil rights impact assessments and
2 recommendations for use in State and local government;

3 (4) create model curricula and minimum training requirements for
4 public entities on antidiscrimination, antibias, anti-oppression, and civil rights
5 compliance;

6 (5) monitor federal policy changes, court decisions, and executive
7 actions that may impact Vermont's civil rights obligations and issue guidance
8 for proper implementation or mitigation;

9 (6) ensure coordinated reporting to and exchange of data with the Office
10 of the Attorney General's Civil Rights Unit and the Division of Racial Justice
11 Statistics within the Office of Racial Equity; and

12 (7) develop technical assistance and model ordinances for use among
13 local government civil rights boards, commissions, and school districts.

14 (d) Meetings.

15 (1) The Attorney General or designee shall be the Chair of the Council.

16 (2) The Council shall meet at least six times per year at the call of the
17 Chair.

18 (3) Seven members of the Council shall constitute a quorum.

19 (e) Staffing. The Council shall have the administrative, technical, and legal
20 assistance of the Office of the Attorney General and the Office of Racial

1 Equity. The Council may hire additional staff to be funded by the Civil Rights
2 and Equal Protection Special Fund created by section 172 of this title.

3 (f) Report. Annually, on or before November 15, the Council shall submit
4 a written report to the Governor, the House Committees on Government
5 Operations and Military Affairs and on Judiciary, the Senate Committees on
6 Government Operations and on Judiciary, and the Office of Racial Equity.

7 The report shall include:

8 (1) information on statewide enforcement efforts;

9 (2) progress made on the duties and responsibilities of the Council;

10 (3) an analysis of systemic barriers;

11 (4) recommendations for policy and statutory changes; and

12 (5) a summary of federal actions that pose a risk to Vermonters' civil
13 rights.

14 § 172. CIVIL RIGHTS AND EQUAL PROTECTION SPECIAL FUND

15 (a) Purpose. The purpose of this section is to create a fund to support the
16 enforcement of Vermont's civil rights and equal protection laws independent
17 of any federal funding.

18 (b) Creation. There is created the Civil Rights and Equal Protection
19 Special Fund that shall be managed in accordance with 32 V.S.A. chapter 7,
20 subchapter 5. The Fund shall be administered by the Attorney General.

21 Monies in the Fund shall be used:

1 (1) to support the staffing, operations, investigative capacity, and
2 community outreach of the Office of the Attorney General’s Civil Rights Unit,
3 the Vermont Human Rights Commission, and the Office of Racial Equity;

4 (2) to administer the collection of data to support the Division of Racial
5 Justice Statistics within the Office of Racial Equity;

6 (3) to provide funding for legal costs associated with the violation of a
7 kindergarten through grade 12 educator’s civil rights when such costs are not
8 covered by the liability insurance of the educator’s employer;

9 (4) to provide training and education on civil rights, antidiscrimination,
10 and anti-oppression matters;

11 (5) to meet public reporting and transparency requirements; and

12 (6) to provide grants or other financial assistance to municipalities to
13 comply with civil rights and equal protection laws.

14 (c) Sources of funding.

15 (1) No federal funds shall be deposited into the Fund.

16 (2) Notwithstanding any other law to the contrary, the Fund shall consist
17 of:

18 (A) two percent of the cannabis excise tax revenues collected under
19 32 V.S.A. § 7902;

20 (B) two percent of the State’s revenue share from sports wagering
21 operators under 31 V.S.A. chapter 25;

1 (C) one-quarter of one percent of the tax on alcoholic beverages
2 imposed by 7 V.S.A. §§ 421 and 422;

3 (D) one-quarter of one percent of the tax on tobacco products
4 imposed by 32 V.S.A. § 7811;

5 (E) all civil penalties, fines, and settlements recovered pursuant to:

6 (i) 9 V.S.A. chapter 139;

7 (ii) 13 V.S.A. chapter 31;

8 (iii) 13 V.S.A. chapter 33; and

9 (iv) 21 V.S.A. chapter 5; and

10 (F) any gifts, grants, or donations from private or philanthropic
11 sources to support the enforcement of State civil rights and equal protection
12 laws.

13 (3) It is the intent of the General Assembly that \$12,000,000.00,
14 adjusted for inflation, be appropriated annually to the Fund in future years.

15 (d) Rulemaking authority. The Attorney General may adopt rules to
16 implement this section.

17 * * * Report * * *

18 Sec. 11. REPORT

19 On or before November 1, 2026, the Court Administrator shall report to the
20 General Assembly on the frequency and outcomes of special motions to strike
21 made pursuant to 12 V.S.A. § 1041.

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* * * Appropriations * * *

Sec. 12. APPROPRIATIONS

The sum of \$15,000,000.00 is appropriated from the General Fund to the Civil Rights and Equal Protection Special Fund created by 3 V.S.A. § 172 in fiscal year 2027 for the purposes established in that section.

* * * Effective Date * * *

Sec. 13. EFFECTIVE DATE

This act shall take effect on July 1, 2026.