

House Calendar

Tuesday, February 3, 2026

29th DAY OF THE ADJOURNED SESSION

House Convenes at 10:00 A.M.

TABLE OF CONTENTS

Page No.

ACTION CALENDAR

Favorable with Amendment

H. 541 Interference with voters and election officials
Rep. Goodnow for Judiciary 344

NOTICE CALENDAR

Favorable with Amendment

H. 5 A hearsay exception for a child under 16 years of age
Rep. Dolan for Judiciary 345

H. 626 Voyeurism and disclosure of sexually explicit images without consent
Rep. Malay for Judiciary 345

ORDERS OF THE DAY

ACTION CALENDAR

Favorable with Amendment

H. 541

An act relating to interference with voters and election officials

Rep. Goodnow of Brattleboro, for the Committee on Judiciary, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 17 V.S.A. § 1972 is amended to read:

§ 1972. ~~SHOWING BALLOT; INTERFERENCE WITH VOTER~~

(a) A voter who, except in cases of assistance as provided in this title, allows ~~his or her~~ the voter's ballot to be seen by another person with an apparent intention of letting it be known how ~~he or she~~ the voter is about to vote or makes a false statement to the presiding officer at an election as to ~~his or her~~ the voter's inability to mark ~~his or her~~ the voter's ballot or places a distinguishing mark on ~~his or her~~ the voter's ballot ~~or a person who interferes with a voter when inside the guard rail or who, within the building in which the voting is proceeding, endeavors to induce a voter to vote for a particular candidate,~~ shall be fined \$1,000.00.

~~(b) It shall be the duty of the election officers to see that the offender is duly prosecuted for a violation of this section.~~

Sec. 2. 17 V.S.A. § 1975 is added to read:

§ 1975. INTERFERENCE WITH VOTERS AND ELECTION OFFICIALS

(a) No person shall intentionally or recklessly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce:

(1) any other person for the purpose of:

(A) obstructing the right of the other person to vote or to vote as the other person may choose; or

(B) causing the other person to vote for, or not to vote for, any candidate for public office or public question at any election; or

(2) a public servant, an election official, or a public employee for the purpose of obstructing the administration of an election.

(b) A person who violates subsection (a) of this section shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 10-0-1)

NOTICE CALENDAR

Favorable with Amendment

H. 5

An act relating to a hearsay exception for a child under 16 years of age

Rep. Dolan of Essex Junction, for the Committee on Judiciary, recommends that the bill be amended as follows:

In Sec. 2, effective date, by striking out “July 1, 2025” and inserting in lieu thereof “July 1, 2026”

(Committee Vote: 10-0-1)

H. 626

An act relating to voyeurism and disclosure of sexually explicit images without consent

Rep. Malay of Pittsford, for the Committee on Judiciary, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 2605 is amended to read:

§ 2605. VOYEURISM

(a) Definitions. As used in this section:

(1) “Bona fide private investigator or bona fide security guard” means an individual lawfully providing services, whether licensed or unlicensed, pursuant to 26 V.S.A. §§ 3151 and 3151a.

(2) “Female breast” means any portion of the female breast below the top of the areola.

(3) “Circumstances in which a person has a reasonable expectation of privacy” means circumstances in which a reasonable person would believe that ~~his or her~~ the person’s intimate areas would not be visible to the public, regardless of whether that person is in a public or private area. This definition

includes circumstances in which a person knowingly disrobes in front of another, but does not expect nor give consent for the other person to photograph, film, or record ~~his or her~~ the person's intimate areas.

(4) "Intimate areas" means the naked or undergarment-clad genitals, pubic area, buttocks, or female breast of a person.

(5) "Place where a person has a reasonable expectation of privacy" means:

(A) a place in which a reasonable person would believe that ~~he or she~~ the person could disrobe in privacy, without ~~his or her~~ the person undressing being viewed by another; or

(B) a place in which a reasonable person would expect to be safe from unwanted intrusion or surveillance.

(6) "Sexual conduct" ~~shall have~~ has the same meaning as in section 2821 of this title.

(7) "Surveillance" means secret observation of the activities of another person for the purpose of spying upon and invading the privacy of the person.

(8) "View" means the intentional looking upon another person for more than a brief period of time, in other than a casual or cursory manner, with the unaided eye or a device designed or intended to improve visual acuity.

(9) "Harm" means physical injury, financial injury, or serious emotional distress.

(b) Unlawful viewing. No person shall intentionally view, ~~photograph, film, or record in any format:~~

(1) the intimate areas of another person without that person's knowledge and consent while the person being viewed, ~~photographed, filmed, or recorded~~ is in a place where ~~he or she~~ the person would have a reasonable expectation of privacy or under circumstances in which the person has a reasonable expectation of privacy; or

(2) ~~the intimate areas of another person without that person's knowledge and consent and under circumstances in which the person has a reasonable expectation of privacy~~ a person engaged in sexual conduct without that person's knowledge and consent while the person being viewed is in a place where the person would have a reasonable expectation of privacy or under circumstances in which the person has a reasonable expectation of privacy.

(c) Unlawful photographing, filming, or recording. No person shall ~~display or disclose to a third party any image recorded in violation of~~

~~subsection (b), (d), or (e) of this section intentionally photograph, film, or record in any format:~~

(1) the intimate areas of another person without that person's knowledge and consent while the person being photographed, filmed, or recorded is in a place where the person would have a reasonable expectation of privacy or under circumstances in which the person has a reasonable expectation of privacy; or

(2) a person engaged in sexual conduct without that person's knowledge and consent while the person being photographed, filmed, or recorded is in a place where the person would have a reasonable expectation of privacy or under circumstances in which the person has a reasonable expectation of privacy.

(d) Surveillance. No person shall intentionally conduct surveillance or intentionally photograph, film, or record in any format a person without that person's knowledge and consent while the person being surveilled, photographed, filmed, or recorded is in a place where ~~he or she~~ the person would have a reasonable expectation of privacy within a home or residence. Bona fide private investigators and bona fide security guards engaged in otherwise lawful activities within the scope of their employment are exempt from this subsection.

(e) Display or disclosure to a third party. No person shall intentionally ~~photograph, film, or record in any format a person without that person's knowledge and consent while that person is in a place where a person has a reasonable expectation of privacy and that person is engaged in sexual conduct~~ display or disclose to a third party an image recorded in violation of subsection (c) of this section.

(f) Applicability. This section shall apply to a person who intentionally views, photographs, films, or records the intimate areas of a person as part of a security or theft prevention policy or program at a place of business.

(g) Exceptions. This section shall not apply to:

(1) a law enforcement officer conducting official law enforcement activities in accordance with State and federal law; or

(2) official activities of the Department of Corrections, a law enforcement agency, the Agency of Human Services, or a court for security purposes or during the investigation of alleged misconduct by a person in the custody of the Department of Corrections, a law enforcement agency, the Agency of Human Services, or a court.

(h) Constitutionally protected activity. This section is not intended to infringe upon the freedom of the press to gather and disseminate news as guaranteed by the First Amendment to the Constitution of the United States.

(i) Affirmative defense. It shall be an affirmative defense to a violation of subsection (b) or (c) of this section that the defendant was a bona fide private investigator or bona fide security guard conducting surveillance in the ordinary course of business, and the violation was unintentional and incidental to otherwise legal surveillance. However, an unintentional and incidental violation of subsection (b) or (c) of this section shall not be a defense to a violation of subsection ~~(e)~~(e) of this section.

(j) Penalties.

(1) For a first offense, a person who violates subsection (b), (c), or (d); ~~or (e)~~ of this section shall be imprisoned not more than two years or fined not more than \$1,000.00, or both. For a second or subsequent offense, a person who violates subsection (b), (c), or (d), ~~or (e)~~ of this section shall be imprisoned not more than three years or fined not more than \$5,000.00, or both.

(2) A person who violates subsection ~~(e)~~(e) of this section shall be imprisoned not more than five years or fined not more than \$5,000.00, or both.

(k) Civil.

(1) A plaintiff shall have a private cause of action against a defendant who intentionally displays or discloses to a third party an image recorded in violation of subsection (c) of this section and the display or disclosure causes the plaintiff harm.

(2) In addition to any other relief available at law, the court may order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease display or disclosure of the image. The court may grant injunctive relief maintaining the confidentiality of a plaintiff using a pseudonym.

(3) In an action brought pursuant to this subsection, the required element in a negligence claim of actual injury to the plaintiff may be satisfied by a diagnosis of a disorder resulting from trauma.

(4) A civil action authorized by this subsection may be commenced at any time after the act alleged to have caused the injury or condition. Notwithstanding 1 V.S.A. § 214, this subsection shall apply retroactively to a violation of this section that occurred prior to July 1, 2026, irrespective of any statute of limitations in effect at the time the violation occurred.

Sec. 2. 13 V.S.A. § 2606 is amended to read:

§ 2606. DISCLOSURE OF SEXUALLY EXPLICIT IMAGES WITHOUT
CONSENT

(a) As used in this section:

(1) “Disclose” includes transfer, publish, distribute, exhibit, or reproduce.

(2) “Harm” means physical injury, financial injury, or serious emotional distress.

(3) “Nude” means any one or more of the following uncovered parts of the human body:

(A) genitals;

(B) pubic area;

(C) anus; or

(D) post-pubescent female nipple.

(4) “Sexual conduct” ~~shall have~~ has the same meaning as in section 2821 of this title.

(5) “Visual image” includes a photograph, film, videotape, recording, or digital reproduction, including an image created or altered by digitization.

(6) “Digitization” means the process of altering an image in a realistic manner utilizing an image or images of a person, including images other than the person depicted, or computer-generated images.

(b)(1) A No person ~~violates this section if the person shall~~ knowingly ~~discloses~~ disclose a visual image of an identifiable person who is nude or who is engaged in sexual conduct, without the person’s consent, with the intent to harm, harass, or intimidate, ~~threaten, or coerce~~ the person depicted, and the disclosure would cause a reasonable person to suffer harm. ~~A person may be identifiable from the image itself or information offered in connection with the image. Consent to recording or production of the visual image does not, by itself, constitute consent for disclosure of the image.~~ A person who violates this subdivision ~~(1)~~ shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

(2) A person who violates this subdivision ~~(1) of this subsection~~ with the intent of disclosing the image for financial profit shall be imprisoned not more than five years or fined not more than \$10,000.00, or both.

(2) For purposes of this section, a person may be identifiable from the image itself or information offered in connection with the image. Consent to recording or production of the visual image does not, by itself, constitute consent for disclosure of the image.

(c) A person who maintains an internet website, online service, online application, or mobile application that contains a visual image of an identifiable person who is nude or who is engaged in sexual conduct shall not solicit or accept a fee or other consideration to remove, delete, correct, modify, or refrain from posting or disclosing the visual image if requested by the depicted person.

(d) This section shall not apply to:

(1) Images involving voluntary nudity or sexual conduct in public or commercial settings or in a place where a person does not have a reasonable expectation of privacy.

(2) Disclosures made in the public interest, including the reporting of unlawful conduct, or lawful and common practices of law enforcement, criminal reporting, corrections, legal proceedings, or medical treatment.

(3) Disclosures of materials that constitute a matter of public concern.

(4) Interactive computer services, as defined in 47 U.S.C. § 230(f)(2), or information services or telecommunications services, as defined in 47 U.S.C. § 153, for content solely provided by another person. This subdivision shall not preclude other remedies available at law.

(e)(1) A plaintiff shall have a private cause of action against a defendant who knowingly discloses, without the plaintiff's consent, an identifiable visual image of the plaintiff while the plaintiff is nude or engaged in sexual conduct and the disclosure causes the plaintiff harm.

(2) In addition to any other relief available at law, the court may order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease display or disclosure of the image. The court may grant injunctive relief maintaining the confidentiality of a plaintiff using a pseudonym.

(3) In an action brought pursuant to this subsection, the required element in a negligence claim of actual injury to the plaintiff may be satisfied by a diagnosis of a disorder resulting from trauma.

(4) A civil action authorized by this subsection may be commenced at any time after the act alleged to have caused the injury or condition. Notwithstanding 1 V.S.A. § 214, this subsection shall apply retroactively to a

violation of this section that occurred prior to July 1, 2026, irrespective of any statute of limitations in effect at the time the violation occurred.

Sec. 3. 13 V.S.A. § 2607 is added to read:

§ 2607. SEXUAL EXTORTION

(a) As used in this section:

(1) “Nude” has the same meaning as in section 2606 of this title.

(2) “Serious bodily injury” has the same meaning as in section 1021 of this title.

(3) “Sexual conduct” has the same meaning as in section 2821 of this title.

(4) “Visual image” has the same meaning as in section 2606 of this title.

(b) No person shall knowingly threaten to disclose a visual image of an identifiable person who is nude or who is engaged in sexual conduct, without the person’s consent, with the intent to compel a person to:

(1) produce nude images or images of sexual conduct;

(2) engage in sexual conduct;

(3) engage in any act against the person’s will;

(4) refrain from engaging in any act in which the person has a legal right to engage; or

(5) provide money or anything of value.

(c) With the intent to compel a person to produce nude visual images or visual images of sexual conduct or to engage in sexual conduct, no person shall knowingly threaten to:

(1) accuse a person of a crime or cause criminal charges to be instituted against a person;

(2) cause injury to a person or property;

(3) expose or publicize an asserted fact, whether true or false, intending to subject another person to hatred, contempt, or ridicule; or

(4) report a person’s immigration status or suspected immigration status.

(d)(1) A person who violates this section shall be imprisoned not more than three years or fined not more than \$3,000.00, or both, if the victim of the offense is 18 years of age or older.

(2) A person who violates this section shall be imprisoned not more than 10 years or fined not more than \$10,000.00, or both, if the victim of the offense is under 18 years of age.

(3) If serious bodily injury or death results from a violation of this section, the person convicted of the violation shall be imprisoned not more than 15 years or fined not more than \$15,000.00, or both.

(e) A person who, in good faith and in a timely manner, reports to law enforcement that the person is a victim of a violation of this section shall not be cited, arrested, or prosecuted for a violation of section 2802 (disseminating indecent material to a minor in the presence of the minor), 2802a (disseminating indecent material to a minor outside the presence of the minor), or 2802b (minor electronically disseminating indecent material to another person) of this title.

(f) The immunity provisions of this section apply only to the use and derivative use of evidence gained as a proximate result of the person reporting to law enforcement that the person is a victim of a violation of this section and do not preclude prosecution of the person on the basis of evidence obtained from an independent source.

Sec. 4. 13 V.S.A. § 4501 is amended to read:

§ 4501. LIMITATION OF PROSECUTIONS FOR CERTAIN CRIMES

(a) Prosecutions for aggravated sexual assault, aggravated sexual assault of a child, sexual assault, sexual exploitation of a minor as defined in subsection 3258(c) of this title, human trafficking, aggravated human trafficking, murder, manslaughter, arson causing death, and kidnapping may be commenced at any time after the commission of the offense.

(b) Prosecutions for lewd and lascivious conduct, sexual abuse of a vulnerable adult under subsection 1379(a) of this title, grand larceny, robbery, burglary, embezzlement, forgery, bribery offenses, false claims, fraud under 33 V.S.A. § 141(d), and felony tax offenses shall be commenced within six years after the commission of the offense, and not after.

(c) Prosecutions for any of the following offenses shall be commenced within 40 years after the commission of the offense, and not after:

(1) lewd and lascivious conduct under section 2601 of this title alleged to have been committed against a child under 18 years of age;

(2) maiming under section 2701 of this title;

(3) lewd or lascivious conduct with a child under section 2602 of this title;

- (4) sexual exploitation of children under chapter 64 of this title; ~~and~~
- (5) sexual abuse of a vulnerable adult under subsection 1379(b) of this title;
- (6) voyeurism involving photographing, filming, or recording under subsection 2605(c) of this title;
- (7) voyeurism involving display or disclosure of images to a third party under subsection 2605(e) of this title;
- (8) disclosure of sexually explicit images without consent under section 2606 of this title; and
- (9) sexual extortion under section 2607 of this title.

(d) Prosecutions for arson and first degree aggravated domestic assault shall be commenced within 11 years after the commission of the offense, and not after.

(e) Prosecutions for other felonies and for misdemeanors shall be commenced within three years after the commission of the offense, and not after.

Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: “An act relating to sexual extortion, voyeurism, and disclosure of sexually explicit images without consent”

(Committee Vote: 10-0-1)

For Informational Purposes

NOTICE OF JOINT ASSEMBLY

Thursday, February 19, 2026 - 10:30 A.M. – House Chamber – Election of an Adjutant and Inspector General, and of two (2) trustees for the Vermont State Colleges Corporation.

Candidates for the positions of Adjutant and Inspector General, and legislative candidates for Vermont State Colleges Corporation trustees must notify the Secretary of State **in writing** of their candidacies not later than Thursday, February 12, 2026, by 4:00 P.M., pursuant to the provisions of 2 V.S.A. §12(b). Otherwise their names will not appear on the ballots for these positions.

The following rules shall apply to the conduct of these elections:

First: All nominations for these offices will be presented in alphabetical order prior to voting.

Second: There will be only one nominating speech of not more than three (3) minutes and not more than two seconding speeches of not more than one (1) minute each for each nominee.

CROSSOVER DATES

The Joint Rules Committee established the following crossover dates:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 13, 2026**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by **Friday, March 13, 2026**.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means must be reported out by the last of those committees on or before **Friday, March 20, 2026**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill (“The Big Bill”), the Transportation Capital bill, the Capital Construction bill, and the Fee/Revenue bills).

HOUSE CONCURRENT RESOLUTION (H.C.R.) PROCESS

Joint Rules 16a–16d provide the procedure for the General Assembly to adopt concurrent resolutions pursuant to the Consent Calendar. Here are the steps for Representatives to introduce an H.C.R. and to have it ceremonially read during a House session:

1. Meet with or email Legislative Counselor Michael Chernick regarding your H.C.R. draft request. Come prepared with an idea and any relevant supporting documents.
2. Have a date in mind if you want a ceremonial reading. You should communicate with Counselor Chernick **at least two weeks prior** to the week you want your ceremonial reading to happen.

3. Counselor Chernick will draft your H.C.R., and Resolutions Editor and Coordinator Jill Pralle will edit it. Upon completion of this process, a paper or electronic copy will be released to you. If a paper copy is released to you, a sponsor sign-out sheet will also be included.
4. Please submit a final sponsor list (with all sponsors listed) to Counselor Chernick by paper *or* electronically, but not both.
5. The final list of sponsors needs to be submitted, by email *or* on a paper sign-out sheet, to Counselor Chernick **not later than 1:00 p.m. the Wednesday of the week prior** to the H.C.R.'s appearance on the Consent Calendar.
6. The Office of Legislative Counsel will then send your H.C.R. to the House Clerk's Office for incorporation into the Consent Calendar and House Calendar Addendum for the following week.
7. The week that your H.C.R. is on the Consent Calendar, any presentation copies that you requested will be mailed or available for pickup on Friday, after the House and Senate adjourn, which is when your H.C.R. is adopted pursuant to Joint Rules.
8. Your H.C.R. can be ceremonially read during a House session once it is adopted, meaning it must have been adopted through the House Consent Calendar not later than the week prior to your requested ceremonial reading date. Contact Second Assistant Clerk Courtney Reckord to confirm your requested ceremonial reading date.
9. **A Note:** If there is a **specific date, week, or month that your resolution must be read** (e.g. to designate a specified period of time or to recognize a group on a certain day), please inform Second Assistant Clerk Courtney Reckord as soon as possible, so she can reserve that date in advance. You do not need to have the resolution drafted by then.

JOINT FISCAL COMMITTEE NOTICES

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)(D):

JFO #3271: \$218,385.00 to the Vermont Center for Crime Victim Services from the U.S. Department of Justice. Funds will be used to consolidate data into one case management system. *[Received January 27, 2026]*

JFO #3272: \$195,053,740.00 to the Vermont Agency of Human Services, Central Office from the U.S. Department of Health and Human

Services, Centers for Medicare and Medicaid Services. Participation in the Rural Health Transformation Plan (RHTP) will help to ensure long-term health care system sustainability in Vermont. This grant includes two (2) limited-service positions (LSP): one (1) Health Care Reform Integration Manager to the Office of Health Care Reform and one (1) Financial Manager II to the Agency of Human Services Central Office. Both limited positions are expected to last through 9/30/2031.

[Received January 27, 2026]