

House Calendar

Wednesday, February 4, 2026

30th DAY OF THE ADJOURNED SESSION

House Convenes at 3:30 P.M.

TABLE OF CONTENTS

	Page No.
ACTION CALENDAR	
Third Reading	
H. 541 Interference with voters and election officials	357
Favorable with Amendment	
H. 5 A hearsay exception for a child under 16 years of age Rep. Dolan for Judiciary	357
H. 626 Voyeurism and disclosure of sexually explicit images without consent Rep. Malay for Judiciary	357
NOTICE CALENDAR	
Favorable with Amendment	
H. 611 Miscellaneous provisions affecting the Department of Vermont Health Access Rep. Powers for Health Care	365
Rep. Yacovone for Appropriations	372
H. 674 The creation of the Vermont Sister State Program Rep. Boutin for Commerce and Economic Development	372
Favorable	
H. 540 The recommendations of the Post-Adjudication Reparative Program Working Group Rep. Headrick for Corrections and Institutions	376

ORDERS OF THE DAY

ACTION CALENDAR

Third Reading

H. 541

An act relating to interference with voters and election officials

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 is 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 \$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)

NOTICE CALENDAR
Favorable with Amendment

H. 611

An act relating to miscellaneous provisions affecting the Department of Vermont Health Access

Rep. Powers of Waterford, for the Committee on Health Care, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 4635 is amended to read:

§ 4635. PRESCRIPTION DRUG COST TRANSPARENCY

(a) As used in this section:

(1) “Health insurer” means a health insurer, as defined in section 9402 of this title, with more than 5,000 covered lives in this State for major medical health insurance, as defined in 8 V.S.A. § 4011. The term does not include Vermont Medicaid.

(2) “Manufacturer” shall have has the same meaning as “pharmaceutical manufacturer” in section 4631a of this title.

(2)(3) “Prescription drug” means a drug as defined in 21 U.S.C. § 321.

(b)(1)(A) The Department of Vermont Health Access shall create annually a list of 10 prescription drugs on which the State spends significant health care dollars and for which the wholesale acquisition cost has increased by 50 percent or more over the past five years or by 15 percent or more during the previous calendar year, creating a substantial public interest in understanding the development of the drugs’ pricing. The list shall include at least one generic and one brand-name drug and shall indicate each of the drugs on the list that the Department considers to be specialty drugs. The Department shall include the percentage of the wholesale acquisition cost increase for each drug on the list; rank the drugs on the list from those with the largest increase in wholesale acquisition cost to those with the smallest increase; indicate whether each drug was included on the list based on its cost increase over the past five years or during the previous calendar year, or both; and provide the Department’s total expenditure for each drug on the list during the most recent calendar year.

(B) The Department of Vermont Health Access shall create annually a list of 10 prescription drugs on which the State spends significant health care dollars and for which the cost to the Department of Vermont Health Access, net of rebates and other price concessions, has increased by 50 percent or more over the past five years or by 15 percent or more during the previous calendar year, creating a substantial public interest in understanding the development of the drugs’ pricing. The list shall include at least one generic and one brand-name drug and shall indicate each of the drugs on the list that the Department considers to be specialty drugs. The Department shall rank the drugs on the list from those with the greatest increase in net cost to those with the smallest increase and indicate whether each drug was included on the list based on its cost increase over the past five years or during the previous calendar year, or both.

(C)(i) Each health insurer with more than 5,000 covered lives in this State for major medical health insurance shall create annually a list of 10 prescription drugs on which its health insurance plans spend significant

amounts of their premium dollars and for which the cost to the plans, net of rebates and other price concessions, has increased by 50 percent or more over the past five years or by 15 percent or more during the previous calendar year, or both, creating a substantial public interest in understanding the development of the drugs' pricing. The list shall include at least one generic and one brand-name drug and shall indicate each of the drugs on the list that the health insurer considers to be specialty drugs. The health insurer shall rank the drugs on the list from those with the greatest increase in net cost to those with the smallest increase and indicate whether each drug was included on the list based on its cost increase over the past five years or during the previous calendar year, or both.

(ii)(B) Each health insurer creating a list pursuant to subdivision (i)(A) of this subdivision (b)(1)(C) shall provide to the Office of the Attorney General the percentage by which the net cost to its plans increased over the applicable period or periods for each drug on the list, as well as the insurer's total expenditure, net of rebates and other price concessions, for each drug on the list during the most recent calendar year. Information provided to the Office of the Attorney General pursuant to this subdivision (b)(1)(C)(ii)(B) is exempt from public inspection and copying under the Public Records Act and shall not be released.

(2) The ~~Department of Vermont Health Access~~ and the health insurers shall provide to the Office of the Attorney General and the Green Mountain Care Board the lists of prescription drugs developed pursuant to ~~subdivisions (1)(A), (B), and (C)(i)~~ subdivision (1) of this subsection annually on or before June 1. The Office of the Attorney General and the Green Mountain Care Board shall make all of the information available to the public on their respective websites.

~~(c)(1)(A)~~ Of the prescription drugs listed by the ~~Department of Vermont Health Access~~ and the health insurers pursuant to ~~subdivisions (b)(1)(B) and (C)~~ subdivision (b)(1) of this section, the Office of the Attorney General shall identify 15 drugs as follows:

(i) of the drugs appearing on more than one payer's list, the Office of the Attorney General shall identify the top 15 drugs on which the greatest amount of money was spent across all payers during the previous calendar year, to the extent information is available; and

(ii) if fewer than 15 drugs appear on more than one payer's list, the Office of the Attorney General shall rank the remaining drugs based on the amount of money spent by any one payer during the previous calendar year, in

descending order, and select as many of the drugs at the top of the list as necessary to reach a total of 15 drugs.

(B) For the 15 drugs identified by the Office of the Attorney General pursuant to subdivision (A) of this subdivision (c)(1), the Office of the Attorney General shall require the manufacturer of each such drug to provide all of the following:

(i) Justification for the increase in the net cost of the drug to ~~the Department of Vermont Health Access, to one or more health insurers, or both,~~ which shall be provided to the Office of the Attorney General in a format that the Office of the Attorney General determines to be understandable and appropriate and shall be provided in accordance with a timeline specified by the Office of the Attorney General. The manufacturer shall submit to the Office of the Attorney General all relevant information and supporting documentation necessary to justify the manufacturer's net cost increase to ~~the Department of Vermont Health Access, to one or more health insurers, or both~~ during the identified period of time, including:

(I) each factor that specifically caused the net cost increase to ~~the Department of Vermont Health Access, to one or more health insurers, or both~~ during the specified period of time;

* * *

Sec. 2. 18 V.S.A. § 4682 is amended to read:

§ 4682. DISCRIMINATION AGAINST 340B ENTITIES PROHIBITED

* * *

(d) ~~A manufacturer or its agent shall offer or otherwise make available 340B drug pricing to a 340B covered entity or 340B contract pharmacy in the form of a discount at the time of purchase and shall not offer or otherwise make available 340B drug pricing in the form of a rebate. [Repealed.]~~

Sec. 3. 33 V.S.A. § 402 is amended to read:

§ 402. MEDICAID AND EXCHANGE ADVISORY COMMITTEE

(a) ~~A~~ The Medicaid and Exchange Advisory Committee is created for the purpose of advising the Commissioner of Vermont Health Access with respect to policy development and program administration for the Vermont Health Benefit Exchange, Medicaid, and Medicaid-funded programs, consistent with the requirements of federal law.

(b)(1) The Commissioner of Vermont Health Access shall appoint members of the Advisory Committee established by this section, who shall

serve staggered three-year terms. The total membership of the Advisory Committee shall be at least 22 members and shall include individuals who are also members of the Beneficiary Advisory Committee, as required by 42 C.F.R. § 431.12. The Commissioner may remove members of the Committee who fail to attend three consecutive meetings and may appoint replacements. The Commissioner may reappoint members to serve more than one term.

(2)(A) The Commissioner of Vermont Health Access shall appoint one representative of health insurers licensed to do business in Vermont to serve on the Advisory Committee. The Commissioner of Health shall also serve on the Advisory Committee.

(B) Of the remaining members of the Advisory Committee, one-quarter of the members shall be from each of the following constituencies:

- (i) beneficiaries of Medicaid or Medicaid-funded programs;
- (ii) representatives of those eligible for or enrolled in qualified health plans, such as individuals, self-employed individuals, health insurance brokers and agents, and representatives of businesses eligible for or enrolled in the Vermont Health Benefit Exchange small business owners and employees;
- (iii) advocates for consumer organizations; and
- (iv) health care professionals and representatives from a broad range of health care professionals.

* * *

Sec. 4. 33 V.S.A. § 1813 is amended to read:

§ 1813. REFLECTIVE HEALTH BENEFIT PLANS

(a)(1) In the event that federal cost-sharing reduction payments to insurers are suspended or discontinued, registered carriers may offer to individuals and employees of small employers nonqualified reflective health benefit plans that do not include funding to offset the loss of the federal cost-sharing reduction payments. These plans shall be similar to, but contain at least one variation from, qualified health benefit plans offered through the Vermont Health Benefit Exchange that include funding to offset the loss of the federal cost-sharing reduction payments.

* * *

Sec. 5. 33 V.S.A. § 2031 is amended to read:

§ 2031. CREATION OF CLINICAL UTILIZATION REVIEW BOARD

(a) ~~No later than June 15, 2010, the~~ The Department of Vermont Health Access shall ~~create a~~ maintain the Clinical Utilization Review Board to examine existing medical services, emerging technologies, and relevant evidence-based clinical practice guidelines and make recommendations to the Department regarding coverage, unit limitations, place of service, and appropriate medical necessity of services in the State's Medicaid programs.

(b) The Board shall comprise a minimum of 10 members with diverse medical experience, to be appointed by the Governor upon recommendation of the Commissioner of Vermont Health Access. The Board shall solicit additional input as needed from individuals with expertise in areas of relevance to the Board's deliberations. The Chief Medical Director Officer of the Department of Vermont Health Access shall serve as the State's liaison to the Board. Board member terms shall may be staggered, ~~but in no event longer than three years from the date of appointment. The and the~~ Board shall meet at least quarterly, ~~provided that the Board shall meet no less frequently than once per month for the first six months following its formation.~~

* * *

Sec. 6. 33 V.S.A. § 2072 is amended to read:

§ 2072. GENERAL ELIGIBILITY

(a) An individual shall be eligible for assistance under this subchapter if the individual:

- (1) is a resident of Vermont at the time of application for benefits;
- (2) is at least 65 years of age or is an individual with disabilities as defined in subdivision 2071(1) of this title; and
- (3) has a household income, ~~when calculated using modified adjusted gross income as defined in 26 U.S.C. § 36B(d)(2)(B), no~~ not greater than 225 percent of the federal poverty level.

* * *

Sec. 7. INCREASE TO PREPAID BURIAL ARRANGEMENTS FOR MEDICAID ELIGIBILITY PURPOSES; RULEMAKING

(a) Subject to approval from the Centers for Medicare and Medicaid Services, the Agency of Human Services shall amend its rules and procedures allowing Medicaid applicants and recipients to preserve monies for funeral and

burial expenses to increase from \$10,000.00 to \$15,000.00 the limit on the amount that may be preserved through an irrevocable prepaid funeral arrangement, as described in 26 V.S.A. § 1271, provided that:

(1) the written contract for the arrangement, as described in 26 V.S.A. § 1273, includes a provision specifying that Vermont Medicaid shall receive all amounts remaining after payment of the deceased individual's expenses up to an amount equal to the total Medicaid amount paid on behalf of the deceased individual; and

(2) in the event that the person responsible for making the funeral arrangements for the deceased individual fails to have funeral services provided, after the retention of assets by the funeral director as set forth in 26 V.S.A. § 1274(c), Vermont Medicaid shall receive all amounts remaining up to an amount equal to the total Medicaid amount paid on behalf of the deceased individual.

(b) Subject to approval from the Centers for Medicare and Medicaid Services, the Agency's amended rules and procedures shall apply to prepaid funeral arrangements entered into on or after July 1, 2027.

Sec. 8. 2025 Acts and Resolves No. 50, Sec. 7 is amended to read:

Sec. 7. STATE PLAN AMENDMENT

Not later than July 1, 2026 2027, the Department of Vermont Health Access shall seek a state plan amendment from the Centers for Medicare and Medicaid Services to allow Vermont's Medicaid program to provide coverage for doula services in accordance with 33 V.S.A. § 1901n, as added by this act.

Sec. 9. 2025 Acts and Resolves No. 50, Sec. 8 is amended to read:

Sec. 8. EFFECTIVE DATES

(a) Secs. 1–4 (establishing certification program for community-based perinatal doulas) shall take effect on July 1, 2026, provided that the Director of the Office of Professional Regulation shall commence the rulemaking process prior to that date in order to ensure that the rules will be in effect on July 1, 2026.

(b) Sec. 5 (33 V.S.A. § 1901n; Medicaid coverage for doula services) shall take effect on the later of July 1, 2026 2027, or approval of the state plan amendment requested pursuant to Sec. 7 of this act.

(c) The remaining sections shall take effect on passage.

Sec. 10. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 11-0-0)

Rep. Yacovone of Morristown, for the Committee on Appropriations, recommends that the bill ought to pass when amended as recommended by the Committee on Health Care.

(Committee Vote: 8-0-3)

H. 674

An act relating to the creation of the Vermont Sister State Program

Rep. Boutin of Barre City, for the Committee on Commerce and Economic Development, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 3 V.S.A. § 2479 is added to read:

§ 2479. VERMONT SISTER STATE PROGRAM

(a) Creation and purpose.

(1) The Vermont Sister State Program is created within the Agency of Commerce and Community Development. The Agency shall provide support to the Program and to the Sister State Program Committee as required.

(2) The purpose of the Program is to strengthen Vermont's international engagement and to foster mutually beneficial relationships with national and subnational governments abroad, with a goal of promoting cultural exchange, economic development, educational cooperation, and diplomatic collaboration.

(b) Program oversight.

(1) The Sister State Program Committee, composed of the following members, shall oversee the Program:

(A) the Secretary of Commerce and Community Development or designee;

(B) a member of the House of Representatives, appointed by the Speaker of the House;

(C) a member of the Senate, appointed by the Committee on Committees;

(D) the Chair of the Board of Trustees of the Vermont Council on World Affairs or designee;

(E) the Vermont Adjutant General or designee;

(F) the Chair of the Board of Trustees of the Vermont Arts Council or designee; and

(G) three members, as follows:

(i) one member with expertise in cultural exchange or in Peace Corps operations, appointed by the Governor;

(ii) one member representing a private institution of higher education, appointed by the Committee on Committees; and

(iii) one member representing a public institution of higher education, appointed by the Speaker.

(2) Members of the Committee shall serve two-year terms, provided that members appointed pursuant to subdivision (1)(G) of this subsection shall serve initial terms of three years each to establish staggered terms. Members may be reappointed.

(3) The Committee shall elect a chair and vice chair from among its members that shall each serve a two-year term.

(4) A majority of the membership shall constitute a quorum.

(c) Meetings.

(1) All meetings shall be called by the Chair, but in the event that the Committee does not have a chair, a meeting may be called by the Secretary of Commerce and Community Development or designee.

(2) The Committee shall meet:

(A) at least once quarterly, for the purpose of:

(i) evaluating current Program agreements;

(ii) proposing new Program agreements;

(iii) preparing its annual report; or

(iv) discussing any other matter that the Committee deems relevant to its work; and

(B) to review and score an eligible Program application not later than 30 days after the Committee receives the application from the Agency, pursuant to subdivision (d)(3) of this section.

(d) Program application, review, and approval procedures.

(1) Development of application process. The Agency, in consultation with the Committee, shall develop a process by which an entity can apply and be considered for admission as a partner to the Program. This process shall include the development of:

(A) an official application to be in the Program;

(B) a confidential internal review procedure to be used by the Agency to review Program applicants for sensitive political, legal, ethical, and strategic factors;

(C) minimum eligibility requirements to be considered for the Program;

(D) a fixed-scoring system, including a rubric, to be uniformly applied by the Committee to evaluate all eligible applications; and

(E) a memorandum of understanding template to be used and signed by the State and an approved Program partner.

(2) Agency initial verification.

(A) When a Program application has been received by the Agency pursuant to this section, the Agency shall, before the Committee may meet to review the application:

(i) verify that the application meets the Program's minimum eligibility requirements; and

(ii) conduct a confidential internal review of the applicant.

(B) Not later than 10 days after completion of the Agency's initial verification and review of an application pursuant to subdivision (A) of this subdivision (2), the Agency shall send the Committee a copy of the application along with a summary of the Agency's analysis.

(C) The confidential internal review process conducted in subdivision (A)(ii) of this subdivision (2), along with any and all documents reviewed during that process, shall be exempt from public inspection and copying.

(3) Committee review and recommendation.

(A) The Committee, upon receiving an application that has received preliminary approval from the Agency, shall meet to review the application pursuant to subdivision (c)(2)(B) of this section not later than 30 days after receipt of the application from the Agency.

(B) If the Committee recommends that an application reviewed pursuant to subdivision (A) of this subdivision (3) be approved, the Committee shall submit its recommendation to the Governor along with a copy of the application not later than 30 days after completing its review of the application.

(4) Governor's review.

(A) The Governor shall have the sole authority to issue final approval or disapproval of a Sister State Program application that the Committee recommended be approved. The Governor shall not review or approve of a Program application that the Committee recommended be disapproved. The Governor shall send written notice of the Governor's decision to the Agency not later than 10 days after the Governor's decision.

(B) If the Governor disapproves a Program application, the Governor's notice in subdivision (A) of this subdivision (4) shall include a written explanation of why the Governor did not follow the recommendation of the Committee.

(C) Upon the Agency's receipt of the Governor's decision pursuant to subdivision (A) of this subdivision (4), the Agency shall notify the applicant of the Governor's decision not later than 30 days after the Agency receives notice of the Governor's decision.

(D) If the application is approved by the Governor, the Agency shall finalize a memorandum of understanding between the State and the Sister State Program applicant.

(e) Reporting. The Committee shall submit an annual report not later than January 15 of each year to the Governor and to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs that includes the following:

(1) an executive summary of key development and outcomes of the Program;

(2) a description of Committee activities, including a summary of attendance and decisions at its meetings;

(3) updates on the Program, including an evaluation of sister state applications, new partners, significant developments, metrics of success, and challenges;

(4) a description of stakeholder engagement with the Program;

(5) a financial overview, including a summary of funding sources and expenditures; and

(6) an outlook for the Program, which shall include strategic objectives, potential new agreements, and growth opportunities for the next year.

(f) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the Committee serving in the member's capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than eight meetings per year.

(2) Other members of the Committee shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than eight meetings per year.

(3) Payments to members of the Committee authorized under this subsection shall be made from monies appropriated to the Agency of Commerce and Community Development.

Sec. 2. REPEAL

2025 Acts and Resolves No. 65, Secs. 4 (9 V.S.A. chapter 111B), 5 (initial appointment deadline for Vermont-Ireland Trade Commission), and 6 (repeal; Vermont-Ireland Trade Commission) are repealed.

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 11-0-0)

Favorable

H. 540

An act relating to the recommendations of the Post-Adjudication Reparative Program Working Group

Rep. Headrick of Burlington, for the Committee on Corrections and Institutions, recommends that the bill ought to pass.

(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.

ANNOUNCEMENT: JOINT PUBLIC HEARING ON
THE GOVERNOR'S RECOMMENDED FY 2027 BUDGET

The Vermont House and Senate Committees on Appropriations will hold two **joint public hearings on Thursday, February 12, 2026, at 1:45 p.m. and Thursday, February 19, 2026, at 5:00 p.m.** in Room 11 of the State House. Interested parties may attend the hearing in person or virtually.

The Committees will take testimony on the Governor's recommended budget at the above dates and times. **Anyone interested in testifying must sign up in advance of the hearings through the following online form not later than 10:00 a.m. on February 12, 2026, for the first hearing, and 10:00 a.m. on February 19, 2026, for the second hearing.** Registration will be first-come, first-served and will be limited to 40 people on each date. For those planning to testify, instructions on how to access and participate in the hearing will be sent once you have signed up for the hearing.

Online sign-up form: <https://legislature.vermont.gov/links/public-hearing-on-fy27-budget>

For those not planning to testify, the hearings will be available to watch live on YouTube at the following link:

<https://legislature.vermont.gov/committee/streaming/house-appropriations>

Written testimony is encouraged and can be submitted electronically through email at testimony@vtleg.gov or mailed to the House Committee on Appropriations, c/o Autumn Crabtree, 115 State Street, Montpelier, VT 05633. For more information about the format of these events, contact Autumn Crabtree at Autumn.Crabtree@vtleg.gov or Elle Oille-Stanforth at Elle.Oille-Stanforth@vtleg.gov

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]