

# House Calendar

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Tuesday, February 10, 2026

36th DAY OF THE ADJOURNED SESSION

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House Convenes at 10:00 A.M.

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## ORDERS OF THE DAY

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### ACTION CALENDAR

#### Third Reading

#### H. 611

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

### NOTICE CALENDAR

#### Favorable with Amendment

#### H. 566

An act relating to sealing post-charge court diversion records upon successful completion

**Rep. Oliver of Sheldon**, 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. 3 V.S.A. § 163 is amended to read:

#### § 163. JUVENILE COURT DIVERSION PROGRAM

\* \* \*

(f) Records; deletion and expungement sealing.

\* \* \*

(5) Post-charge diversion records expungement sealing. Within 30 days after the two-year anniversary of a successful completion of post-charge diversion, the court shall provide notice to all parties of record of the court's intention to order the expungement sealing of all court files and records, law enforcement records, fingerprints, and photographs other than entries in the court diversion program's centralized filing system applicable to the proceeding. However, the court shall not order expungement sealing if the participant does not satisfy each of subdivisions (A)–(C) of this subdivision. The court shall give the State's Attorney an opportunity for a hearing to contest the expungement sealing of the records. The court shall expunge seal the records if it finds:

(A) two years have elapsed since the successful completion of the juvenile post-charge diversion program by the participant;

(B) the participant has not been convicted of a subsequent felony or misdemeanor during the two-year period, and no proceedings are pending seeking such conviction; and

(C) the participant does not owe restitution related to the case.

(6) ~~Expungement of sealed records. The court may expunge any records that were sealed pursuant to this subsection prior to July 1, 2018 unless the State's Attorney's office that prosecuted the case objects. Thirty days prior to expunging a record pursuant to this subdivision, the court shall provide written notice of its intent to expunge the record to the State's Attorney's office that prosecuted the case. [Repealed.]~~

(7) Post-charge diversion case index.

(A) The court and the Office of the Attorney General shall keep a special index of post-charge diversion cases that have been ~~expunged sealed~~ pursuant to this section together with the ~~expungement sealing~~ order. The index shall list only the name of the person convicted of the offense, the person's date of birth, the docket number, date of case closure, the court of jurisdiction, and the offense that was the subject of the ~~expungement sealing~~.

(B) The special index and related documents specified in subdivision (A) of this subdivision (7) shall be confidential and shall be physically and electronically segregated in a manner that ensures confidentiality and that limits access to authorized persons.

(C) Inspection of the ~~expungement sealing~~ order and the certificate may be permitted only upon petition by the person who is the subject of the case. The Chief Superior Judge may permit special access to the index and the documents for research purposes pursuant to the rules for public access to court records.

(D) The Court Administrator shall establish policies for implementing subdivisions (5)–(9) of this subsection (f).

(8) Effect of ~~expungement sealing~~. ~~Except as otherwise provided in this section, upon the entry of an order expunging files and records under this section, the proceedings in the matter shall be considered never to have occurred; all index references thereto shall be deleted; and the participant, the court, law enforcement officers and departments, prosecutors, the referring entity, and the diversion program shall reply to any request for information that no record exists with respect to such participant inquiry in any matter. Copies of the order shall be sent to each agency, entity, or official named therein Procedures for sealing, the effect of sealing, and access to sealed records shall be as provided in 13 V.S.A. § 7607.~~

(9) Expungement Sealing applicability. The process of automatically ~~expunging sealing~~ records as provided in this section shall only apply to those persons who completed diversion on or after July 1, 2002 2026. ~~Any person who completed diversion prior to July 1, 2002 must apply to the court to have the person's records expunged.~~ Expungement Sealing shall occur if the requirements of subdivisions (5)–(8) of this subsection (f) are met.

\* \* \*

Sec. 2. 3 V.S.A. § 164 is amended to read:

#### § 164. ADULT COURT DIVERSION PROGRAM

##### (a) Purpose.

(1) The Attorney General shall develop and administer an adult court diversion program, for both pre-charge and post-charge referrals, available in all counties.

(2) The program shall be designed to provide a restorative option for persons alleged to have caused harm in violation of a criminal statute or who have been charged with violating a criminal statute as well as for victims or those acting on a victim's behalf who have been allegedly harmed by the person referred to the program. The diversion program can accept referrals to the program as follows:

(A) Pre-charge by law enforcement or prosecutors pursuant to a policy adopted in accordance with subdivisions (e)(1)–(2) (c)(1) and (2) of this section.

(B) Post-charge by prosecutors for persons charged with a first or a second misdemeanor or a first nonviolent felony, or other offenses as the prosecutor deems appropriate, pursuant to subdivision (c)(3) of this section.

(C) Post-charge by prosecutors of persons who have been charged with an offense and who have substance abuse or mental health treatment needs regardless of the person's prior criminal history record, except a person charged with a felony offense that is a crime listed in 13 V.S.A. § 5301(7) shall not be eligible under this section. Persons who have attained 18 years of age who are subject to a petition in the Family Division pursuant to 33 V.S.A. chapter 52 or 52A shall also be eligible under this section. Programming for these persons is intended to support access to appropriate treatment or other resources with the aim of improving the person's health and reducing future adverse involvement in the justice system.

\* \* \*

##### (f) Records; deletion and ~~expungement sealing~~.

\* \* \*

(5) Post-charge diversion records ~~expungement sealing~~. Within 30 days after the two-year anniversary of a successful completion of adult post-charge diversion, the court shall provide notice to all parties of record of the court's intention to order the ~~expungement sealing~~ of all court files and records, law enforcement records, fingerprints, and photographs other than entries in the adult court diversion program's centralized filing system applicable to the proceeding. However, the court shall not order ~~expungement sealing~~ if the participant does not satisfy each of subdivisions (A)–(C) of this subdivision. The court shall give the State's Attorney an opportunity for a hearing to contest the ~~expungement sealing~~ of the records. The court shall ~~expunge seal~~ the records if it finds:

(A) two years have elapsed since the successful completion of the adult post-charge diversion program by the participant;

(B) the participant has not been convicted of a subsequent felony or misdemeanor during the two-year period, and no proceedings are pending seeking such conviction; and

(C) the participant does not owe restitution related to the case.

(6) ~~Expungement of sealed records. The court may expunge any records that were sealed pursuant to this subsection prior to July 1, 2018 unless the State's Attorney's office that prosecuted the case objects. Thirty days prior to expunging a record pursuant to this subdivision, the court shall provide written notice of its intent to expunge the record to the State's Attorney's office that prosecuted the case.~~ [Repealed.]

(7) Post-charge diversion case index.

(A) The court and the Office of the Attorney General shall keep a special index of post-charge diversion cases that have been ~~expunged sealed~~ pursuant to this section together with the ~~expungement sealing~~ order. The index shall list only the name of the person convicted of the offense, the person's date of birth, the docket number, date of case closure, location of programming, and the criminal offense that was the subject of the ~~expungement sealing~~.

(B) The special index and related documents specified in subdivision (A) of this subdivision (7) shall be confidential and shall be physically and electronically segregated in a manner that ensures confidentiality and that limits access to authorized persons.

(C) Inspection of the ~~expungement sealing~~ order and the certificate may be permitted only upon petition by the person who is the subject of the

case. The Chief Superior Judge may permit special access to the index and the documents for research purposes pursuant to the rules for public access to court records.

(D) The Court Administrator shall establish policies for implementing subdivisions (5)–(9) of this subsection (f).

(8) Effect of expungement sealing. Except as otherwise provided in this section, upon the entry of an order expunging files and records under this section, the proceedings in the matter shall be considered never to have occurred; all index references thereto shall be deleted; and the participant, the court, law enforcement officers and departments, prosecutors, the referring entity, and the diversion program shall reply to any request for information that no record exists with respect to such participant inquiry in any matter. Copies of the order shall be sent to each agency, entity, or official named therein Procedures for sealing, the effect of sealing, and access to sealed records shall be as provided in 13 V.S.A. § 7607.

(9) Expungement Sealing applicability. The process of automatically expunging sealing records as provided in this section shall only apply to those persons who completed diversion on or after July 1, 2002 2026. Any person who completed diversion prior to July 1, 2002 must apply to the court to have the person's records expunged. Expungement Sealing shall occur if the requirements of this subsection are met.

\* \* \*

Sec. 3. BURLINGTON COMMUNITY JUSTICE CENTER; ADULT  
DIVERSION PILOT; CRIMINAL MUNICIPAL ORDINANCE  
VIOLATIONS

Notwithstanding the limitation in 3 V.S.A. § 164(a)(2) relating to restorative options for persons alleged to have caused harm in violation of a criminal statute or who have been charged with violating a criminal statute, the referral of criminal municipal ordinance violations to the Burlington Community Justice Center is authorized under 3 V.S.A. § 164 from January 1, 2026, until July 1, 2027.

Sec. 4. EFFECTIVE DATES

- (a) This section and Sec. 3 shall take effect on passage.
- (b) Secs. 1 and 2 shall take effect on July 1, 2026.

**(Committee Vote: 10-0-1)**

## Committee of Conference Report

### S. 23

An act relating to the use of synthetic media in elections

#### TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon Senate Bill entitled:

S. 23 An act relating to the use of synthetic media in elections

Respectfully report that they have met and considered the same and recommends that the Senate recede from its proposal of amendment to the House proposal of amendment and 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. chapter 35, subchapter 4 is added to read:

#### Subchapter 4. Use of Synthetic Media in Elections

##### § 2031. DEFINITIONS

As used in this subchapter:

(1) “Deceptive and fraudulent synthetic media” means synthetic media that appears to a reasonable person to be a realistic representation of:

(A) a political candidate that injures the reputation of a political candidate; or

(B) an individual that attempts to unduly influence the outcome of an election, including a public question, by providing materially false information to voters.

(2) “Synthetic media” means an image, an audio recording, or a video recording of an individual’s appearance, speech, or conduct that has been created or intentionally manipulated with the use of digital technology, including artificial intelligence.

##### § 2032. DISCLOSURE OF DECEPTIVE AND FRAUDULENT

##### SYNTHETIC MEDIA

(a) Disclosure. A person shall not, within 90 days before an election in Vermont, publish, communicate, or otherwise distribute synthetic media that the person knows is deceptive and fraudulent synthetic media unless the person includes a disclosure in the synthetic media stating: “This media has been manipulated or generated by digital technology and depicts speech or conduct that did not occur.”

(1) For deceptive and fraudulent synthetic media consisting of images and video recordings, the text of the disclosure shall appear in a size that is easily readable by the average viewer and inclusive to the greatest extent possible of individuals with disabilities. For video recordings, the disclosure shall appear for the full duration of the video recording.

(2) For deceptive and fraudulent synthetic media consisting of audio recordings only, the disclosure shall be read in a clearly spoken manner and in a pitch and pace that can be easily heard by the average listener and inclusive to the greatest extent possible of individuals with disabilities, at the beginning of the audio recording, at the end of the audio recording, and, if the audio is greater than two minutes in length, interspersed within the audio recording at intervals of not greater than two minutes each.

(b) Exceptions. Subsection (a) of this section shall not apply to:

(1) a radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, or to a website, streaming platform, or mobile application, that:

(A) broadcasts deceptive and fraudulent synthetic media as part of a bona fide newscast, news interview, news documentary, commentary of general interest, or on-the-spot coverage of bona fide news events, provided the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the deceptive and fraudulent synthetic media;

(B) is paid to broadcast deceptive and fraudulent synthetic media; or

(C) is required by federal law to broadcast advertisements from legally qualified candidates;

(2) a website or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes deceptive and fraudulent synthetic media, if the publication clearly states that the deceptive and fraudulent synthetic media does not accurately represent the speech or conduct of the represented individual;

(3) a person that produces or distributes deceptive and fraudulent synthetic media constituting satire or parody;

(4) a provider of a telecommunications service or information service, as those terms are defined in the Communications Act of 1934, 47 U.S.C. § 153, for content provided by another person; or

(5) a provider of an interactive computer service, as defined in 47 U.S.C. § 230, for content provided by another person.

§ 2033. PENALTIES

(a) A person that knowingly and intentionally violates a provision of this subchapter shall be fined not more than \$1,000.00, unless:

(1) the person commits the violation with the intent to cause violence or bodily harm, in which case the fine shall be not more than \$5,000.00;

(2) the person commits the violation within five years after one or more prior violations under this section, in which case the fine shall be not more than \$10,000.00; or

(3) the person commits the violation with the intent to cause violence or bodily harm and the person commits the violation within five years after one or more prior violations under this section, in which case the fine shall be not more than \$15,000.00.

(b) A candidate whose appearance, speech, conduct, or environment is misrepresented through the use of deceptive and fraudulent synthetic media in violation of section 2032 of this title may seek injunctive or other equitable relief prohibiting the publication, communication, or other distribution of such deceptive and fraudulent synthetic media.

Sec. 2. 17 V.S.A. chapter 35, subchapter 5 is added to read:

Subchapter 5. Enforcement and Investigation

§ 2041. ENFORCEMENT

In addition to the other remedies provided in this chapter, a State's Attorney or the Attorney General may institute any appropriate action, injunction, or other proceeding to prevent, restrain, correct, or abate any violation of this chapter.

§ 2042. CIVIL INVESTIGATIONS

(a)(1) The Attorney General or a State's Attorney, whenever there is reason to believe any person to be or to have been in violation of this chapter, may examine or cause to be examined by any designated agent or representative any books, records, papers, memoranda, or physical objects of any nature bearing upon each alleged violation and may demand written responses under oath to questions bearing upon each alleged violation.

(2) The Attorney General or a State's Attorney may require the attendance of such person or of any other person having knowledge in the premises in the county where such person resides or has a place of business or

in Washington County if such person is a nonresident or has no place of business within the State and may take testimony and require proof material for that person's information and may administer oaths or take acknowledgment in respect of any book, record, paper, or memorandum.

(3) The Attorney General or a State's Attorney shall serve notice of the time, place, and cause of such examination or attendance or notice of the cause of the demand for written responses personally or by certified mail upon such person at that person's principal place of business or, if such place is not known, to that person's known address. Such notice shall include a statement that a knowing and intentional violation of this chapter is subject to criminal prosecution.

(4) Any book, record, paper, memorandum, or other information produced by any person pursuant to this section shall not, unless otherwise ordered by a court of this State for good cause shown, be disclosed to any person other than the authorized agent or representative of the Attorney General or a State's Attorney or another law enforcement officer engaged in legitimate law enforcement activities unless with the consent of the person producing the same, except that any transcript of oral testimony, written responses, documents, or other information produced pursuant to this section may be used in the enforcement of this chapter, including in connection with any civil action brought under this subchapter or subsection (c) of this section.

(5) Nothing in this subsection is intended to prevent the Attorney General or a State's Attorney from disclosing the results of an investigation conducted under this section, including the grounds for the decision as to whether to bring an enforcement action alleging a violation of this chapter or of any rule made pursuant to this chapter.

(6) This subsection shall not be applicable to any criminal investigation or prosecution brought under the laws of this or any state.

(b)(1) A person upon whom a notice is served pursuant to the provisions of this section shall comply with its terms unless otherwise provided by the order of a court of this State.

(2) Any person that, with intent to avoid, evade, or prevent compliance, in whole or in part, with any civil investigation under this section, removes from any place; conceals, withholds, or destroys; or mutilates, alters, or by any other means falsifies any documentary material in the possession, custody, or control of any person subject to such notice or mistakes or conceals any information shall be fined not more than \$5,000.00.

(c)(1) Whenever any person fails to comply with any notice served upon that person under this section or whenever satisfactory copying or reproduction of any such material cannot be done and the person refuses to surrender the material, the Attorney General or a State's Attorney may file, in the Superior Court in the county in which the person resides or of that person's principal place of business or in Washington County if the person is a nonresident or has no principal place of business in this State, and serve upon the person a petition for an order of the court for the enforcement of this section.

(2) Whenever any petition is filed under this section, the court shall have jurisdiction to hear and determine the matter so presented and to enter any order or orders as may be required to carry into effect the provisions of this section. Any disobedience of any order entered under this section by any court shall be punished as a contempt of the court.

(d) Any person aggrieved by a civil investigation conducted under this section may seek relief from Washington Superior Court or the Superior Court in the county in which the aggrieved person resides. Except for cases the court considers to be of greater importance, proceedings before Superior Court as authorized by this section shall take precedence on the docket over all other cases.

### Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.

*SEN. BRIAN P. COLLAMORE  
SEN. TANYA C. VYHOVSKY  
SEN. JOHN S. MORLEY III*

*Committee on the part of the Senate*

*REP. MATTHEW J. BIRONG Jr.  
REP. LISA A. HANGO  
REP. CHEA WATERS EVANS*

*Committee on the part of the House*

### **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](mailto: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]*