

House Calendar

Wednesday, February 25, 2026

51st DAY OF THE ADJOURNED SESSION

House Convenes at 3:30 P.M.

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ORDERS OF THE DAY

ACTION CALENDAR

Third Reading

H. 205

An act relating to agreements not to compete

H. 639

An act relating to genetic data privacy

H. 694

An act relating to approval of amendments to the charter of the Town of Bennington concerning the Town Manager

H. 907

An act relating to legislative review of reporting requirements

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)

Rep. Masland of Thetford, for the Committee on Ways and Means, recommends that the bill ought to pass when amended as recommended by the Committee on Judiciary.

(Committee Vote: 11-0-0)

H. 635

An act relating to eliminating Department of Corrections supervisory fees

Rep. Sweeney of Shelburne, for the Committee on Corrections and Institutions, recommends that the bill be amended as follows:

In Sec. 4, effective date, by striking out the word “passage” and inserting in lieu thereof “July 1, 2027”

(Committee Vote: 11-0-0)

Rep. Waszazak of Barre City, for the Committee on Ways and Means, recommends that the bill ought to pass when amended as recommended by the Committee on Corrections and Institutions.

(Committee Vote: 11-0-0)

NOTICE CALENDAR

Favorable with Amendment

H. 512

An act relating to the regulation of the event ticketing market

Rep. Carris Duncan of Whitingham, 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. 9 V.S.A. chapter 63, subchapter 2B is added to read:

Subchapter 2B. Event Tickets

§ 2479f. RESALE OF EVENT TICKETS

(a) Definitions. As used in this section:

(1) “Price” means the total amount paid or to be paid for a ticket, including all taxes, fees, and charges. Price does not include actual shipping costs.

(2) “Resale” means the second or subsequent sale of a ticket by any method, including in-person transactions, telephone, mail, email, facsimile, or electronic means through websites or mobile phone applications.

(3) “Reseller” means a person engaged in the resale of tickets.

(4) “Secondary ticket exchange” means an electronic marketplace enabling the sale, purchase, and resale of tickets.

(5) “Speculative ticket” means a ticket not in the actual or constructive possession of the reseller at the time of listing, sale, or advertisement. This includes tickets not owned by the reseller or under contract to be transferred to the reseller at the time of sale.

(6) “Ticket” means any form of physical, electronic, or other evidence that grants the possessor of the evidence license to enter a place of entertainment for one or more events at a specified date and time.

(7) “Ticket issuer” means a person or entity that issues tickets for initial sale, including musicians, venues, promoters, theater companies, marketplaces for initial purchases, or their agents.

(b) Notice requirement.

(1) A person operating a secondary ticket exchange shall provide a statement in a clear and conspicuous manner informing any customer:

(A) whether the customer is purchasing the ticket from a ticket issuer or a reseller as the case may be; and

(B) that the resale price of the ticket is limited by subsection (c) of this section.

(2) If a secondary ticket exchange provides information about the number or percentage of available tickets for a given event, the information shall not mislead customers about the availability of tickets on that platform or on other platforms.

(c) Price cap on the resale of event tickets.

(1) A ticket reseller shall not sell or offer for sale a ticket at a price greater than 110 percent of the price of an original ticket.

(2) A secondary ticket exchange shall not authorize for resale on the exchange a ticket for a price at greater than 110 percent of the price of an original ticket.

(3) This subsection shall not apply to the resale of a ticket if the reseller has a written contract with the ticket issuer for the resale of tickets at a price greater than 110 percent of the price of the original ticket.

(d) Ban on deceptive URLs and improper use of intellectual property. It shall be unlawful for a secondary ticket exchange, reseller, or the operator of any website purporting to sell or offer for sale event tickets that links or redirects to a secondary ticket exchange or reseller to:

(1) use deceptive website addresses or imply endorsement or ownership of any intellectual property of the venue or artist without explicit written authorization of the venue or artist; or

(2) state or imply that the secondary ticket exchange, reseller, or website is affiliated with or endorsed by a venue, team, or artist, including by using words such as “official” in promotional materials, social media promotions, search engine optimization, paid advertising, URLs, or search engine monetization, unless the secondary ticket exchange, reseller, or website has the express written consent of the venue, team, or artist.

(e) Prohibition on speculative ticket sales. A reseller shall not sell or offer for sale speculative tickets.

(f) Violations. A person that violates a provision of this section commits an unfair and deceptive act in commerce in violation of section 2453 of this title.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 10-0-1)

Committee of Conference Report

H. 790

An act relating to fiscal year 2026 budget adjustments

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

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

H. 790. An act relating to fiscal year 2026 budget adjustments.

Respectfully reports that it has met and considered the same and recommends that the House accede to the Senate proposal of amendment and that the Senate proposal of amendment be further amended as follows:

First: By striking out Sec. 37. in its entirety and inserting in lieu thereof a new Sec. 37. to read as follows:

Sec. 37. 2025 Acts and Resolves No. 27, Sec. B.330 is amended to read:

Sec. B.330 Disabilities, aging, and independent living - advocacy and independent living grants

Grants	<u>24,909,492</u>	<u>25,125,975</u>
Total	24,909,492	25,125,975
Source of funds		
General fund	8,585,909	8,804,020
Federal funds	7,321,114	7,191,114
Global Commitment fund	<u>9,002,469</u>	<u>9,130,841</u>
Total	24,909,492	25,125,975

Second: By striking out Sec. 44. in its entirety and inserting in lieu thereof a new Sec. 44. to read as follows:

Sec. 44. 2025 Acts and Resolves No. 27, Sec. B.347 is amended to read:

Sec. B.347 Total human services

Source of funds		
General fund	1,428,803,059	1,461,126,849
Special funds	231,430,533	232,655,939
Tobacco fund	23,088,208	23,088,208
State health care resources fund	31,074,772	31,074,772
Federal funds	1,946,078,413	1,993,089,108
Global Commitment fund	2,148,606,890	2,213,122,801
Internal service funds	403,853	403,853
Interdepartmental transfers	32,694,090	32,694,090
Permanent trust funds	<u>25,000</u>	<u>25,000</u>
Total	5,842,204,818	5,987,280,620

Third: In Sec. 51., by striking out 2025 Acts and Resolves No. 27, Sec. B.1100(t)(2) and inserting in lieu thereof:

(2) ~~\$500,000~~ \$885,000 General Fund for a grant to Vermont Foodbank for the Vermonters Feeding Vermonters Program;

* * *

Fourth: By striking out Sec. 79. in its entirety and inserting in lieu thereof a new Sec. 79. to read as follows:

Sec. 79. HOUSING ASSISTANCE

(a) In fiscal year 2026 and fiscal year 2027, while the General Assembly is not in session the Emergency Board shall have the authority to transfer part of the appropriation in 2025 Acts and Resolves No. 27, Sec. B.1101(b)(2) to the Department for Children and Families for the purpose of assisting a housing authority to avoid termination of U.S. Department of Housing and Urban Development (HUD) Section 8 housing choice vouchers that would otherwise be lost as the result of federal action.

(b) If funds are transferred for this purpose, they may be made available at the request of a housing authority for one of the following purposes:

(1) to maintain a current housing assistance payment in use or to prevent the retirement of a housing assistance payment currently in use by the housing authority; or

(2) with prior written approval from HUD, to provide funding to a housing authority in order to prevent the termination of assistance to current housing choice voucher participants.

(c) If funds are transferred for this purpose, an affirmative vote of the majority of a housing authority's commissioners shall be required prior to a housing authority requesting funds.

(d) A housing authority shall notify the Department for Children and Families of its intent to request funds and submit a report on its financial need, including evidence that the request conforms to applicable HUD requirements and is a necessary and proper expense, to the Department on or before April 15, 2026.

(e) On or before May 1, 2026, the Department for Children and Families, in consultation with the Department of Housing and Community Development, shall:

(1) establish procedures for validating that such expenditures conform to applicable HUD requirements and are a necessary and proper expense prior to issuing funds; and

(2) establish guidelines to ensure that funds are distributed based upon need.

(f) If funds are transferred for this purpose, the Department for Children and Families shall report to the Joint Fiscal Committee at its September 2026 meeting and submit a written report on or before January 15, 2027, to the

House and Senate Committees on Appropriations on the status of the appropriation.

(g) As used in this section, “housing authority” has the same meaning as in 24 V.S.A. § 4002.

Fifth: By striking out Sec. 83. in its entirety and inserting in lieu thereof a new Sec. 83. to read as follows:

Sec. 83. DEVELOPMENTAL DISABILITIES SERVICES PAYMENT REFORM; IMPLEMENTATION

(a)(1) In fiscal year 2026, the Department of Disabilities, Aging, and Independent Living shall adjust the developmental disabilities home- and community-based services payment model to reflect per-member, per-month payments to designated and specialized service agencies that are calculated based on a minimum-assumed utilization rate of 65 percent. Reconciliation shall occur in compliance with the developmental disabilities home- and community-based services payment reform rules and the False Claims Act, 31 U.S.C. § 3729 et seq.

(2) Each agency currently below the 65 percent threshold and requiring financial stabilization shall prepare and submit a financial stabilization plan to the Department on or before October 1, 2027. The Department shall review the stabilization plan and work with the proposing agencies toward the goal of stabilization and sustainability.

(b) The designated and specialized service agencies shall submit to the Department on or before April 1, 2026, all information deemed necessary by the Department to enable it to perform a comprehensive fiscal analysis and to implement resolutions to address barriers that inhibit an increase in service delivery utilization.

(c)(1) On or before April 15, 2026, the Agency of Human Services and the Departments of Disabilities, Aging, and Independent Living and of Vermont Health Access shall convene a meeting with the Chairs of the House and Senate Committees on Appropriations, the House Committee on Human Services, and the Senate Committee on Health and Welfare, or their designees, and with the designated and specialized service agencies and other key members of the developmental disabilities services delivery system. At the meeting, the parties shall discuss efforts that support the growth of a sustainable developmental disabilities services delivery system in which:

(A) increased service utilization meets the needs and goals of individuals and families and drives the designated and specialized service agencies’ success;

(B) Medicaid compliance is assured; and

(C) all State and federal rules are adhered to.

(2) At the meeting, the parties shall also develop and recommend concrete solutions to mitigate short-term financial impacts and Medicaid compliance risks associated with the implementation of developmental disabilities services payment reform, to the extent permitted under federal Medicaid rules.

(d) On or before May 1, 2026, the Department shall submit a written progress report to the House Committee on Human Services and to the Senate Committee on Health and Welfare detailing recommended solutions, anticipated fiscal impacts to the designated and specialized service agencies, implementation timelines, and compliance safeguards, including how measures, such as the transitional utilization methodology, shall ensure continuity of care, prevent service disruption, and mitigate Medicaid compliance risks for providers and the State during the first year of payment reform implementation, to the extent permitted under federal Medicaid rules.

(e) If funds previously appropriated to the Agency of Human Services are insufficient to provide the State match needed to make the payment adjustment in subsection (a) of this section, notwithstanding 32 V.S.A. § 308b, the Commissioner of Finance and Management shall unreserve an amount of funds equal to the deficiency from the Human Services Caseload Reserve and, notwithstanding 32 V.S.A. § 706, transfer an amount of funds equal to the deficiency to the Agency of Human Services.

Sixth: By striking out Sec. 86. in its entirety and inserting in lieu thereof a new Sec. 86. to read as follows:

Sec. 86. 2025 Acts and Resolves No. 27, Sec. E.330 is added to read:

Sec. E.330 DEPARTMENT OF DISABILITIES, AGING AND
INDEPENDENT LIVING; VERMONT CENTER FOR
INDEPENDENT LIVING; FUNDING

(a) Of the General Fund appropriation in Sec. B.330 of this act, \$55,000 shall be granted to the Vermont Center for Independent Living to provide home-delivered meals to individuals with disabilities under 60 years of age.

ANDREW J. PERCHLIK

VIRGINIA V. LYONS

RICHARD A. WESTMAN

Committee on the part of the Senate

ROBIN P. SCHEU

MARTHA A. FELTUS

TIFFANY BLUEMLE

Committee on the part of the House

For Informational Purposes

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]*