

House Calendar

Tuesday, March 10, 2026

64th DAY OF THE ADJOURNED SESSION

House Convenes at 10:00 A.M.

TABLE OF CONTENTS

Page No.

ACTION CALENDAR

Action Postponed Until Tuesday, March 10, 2026

Third Reading

H. 205 Agreements not to compete 722

Favorable with Amendment

H. 635 Eliminating Department of Corrections supervisory fees
Rep. Sweeney for Corrections and Institutions 722
Rep. Waszazak for Ways and Means 722

Senate Proposal of Amendment

H. 545 Issuing immunization recommendations
Senate Proposal of Amendment 722

New Business

Third Reading

H. 512 The regulation of the event ticketing market 736

Favorable with Amendment

H. 582 Adult protective services
Rep. Noyes for Human Services 736

NOTICE CALENDAR

Favorable with Amendment

H. 67 Legislative operations and government accountability
Rep. Waters Evans for Government Operations and Military Affairs 739

H. 573 The first certification of an emergency examination
Rep. Berbeco for Health Care 742

H. 578 Penalties and procedures for animal cruelty offenses
Rep. Rachelson for Judiciary 743
Rep. Masland for Ways and Means 758

Rep. Squirrel for Appropriations	758
H. 588 Professions and occupations regulated by the Office of Professional Regulation	
Rep. Nugent for Government Operations and Military Affairs	758
Rep. Branagan for Ways and Means	775
H. 686 Expanding identification of certain lobbying advertisements	
Rep. Boyden for Government Operations and Military Affairs	777
H. 740 The greenhouse gas inventory and registry	
Rep. James for Energy and Digital Infrastructure	778
H. 744 Procedures for arrest without a warrant	
Rep. LaLonde for Judiciary	780
H. 762 The County and Regional Governance Study Committee	
Rep. Birong for Government Operations and Military Affairs	780
H. 849 A civil action for damages for interference with State or federal constitutional rights by any government official	
Rep. LaLonde for Judiciary	783

Favorable

H. 915 Establishing an extended producer responsibility program for beverage containers	
Rep. Morris for Environment	784
Rep. Burkhardt for Ways and Means	784

ORDERS OF THE DAY

ACTION CALENDAR

Action Postponed Until Tuesday, March 10, 2026

Third Reading

H. 205

An act relating to agreements not to compete

Favorable with Amendment

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)

Senate Proposal of Amendment

H. 545

An act relating to issuing immunization recommendations

The Senate proposes to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Effective on Passage until July 1, 2031: Commissioner of Health’s
Immunization Recommendations * * *

Sec. 1. 18 V.S.A. § 1130 is amended to read:

§ 1130. IMMUNIZATION FUNDING

(a) As used in this section:

* * *

(4) “Immunizations Recommended immunization” means vaccines a vaccine or other immunizing agent that provides protection against a particular

disease or pathogen and the application of the ~~vaccines~~ immunization as recommended by the practice guidelines for children and adults established by the ~~Advisory Committee on Immunization Practices (ACIP) to the Centers for Disease Control and Prevention (CDC)~~ Commissioner pursuant to section 1130a of this title.

* * *

(b)(1) The Department of ~~Health~~ shall administer an immunization program with the goals of ensuring universal access to ~~vaccines~~ recommended immunizations for all Vermonters at no charge to the individual and reducing the cost at which the State may purchase ~~vaccines~~ recommended immunizations. The Department shall purchase, provide for the distribution of, and monitor the use of ~~vaccines~~ recommended immunizations as provided for in this subsection and subsection (c) of this section. The cost of the ~~vaccines~~ recommended immunizations and an administrative surcharge shall be reimbursed by health insurers as provided for in subsections (e) and (f) of this section.

(2) The Department shall solicit, facilitate, and supervise the participation of health care professionals, health care facilities, and health insurers in the immunization program in order to accomplish the State's goal of universal access to recommended immunizations at the lowest practicable cost to individuals, insurers, and State health care programs.

(3) The Department shall gather and analyze data regarding the immunization program for the purpose of ensuring its quality and maximizing protection of Vermonters against diseases preventable by ~~vaccination~~ immunization.

(c) The Department shall determine which recommended immunizations shall be purchased under the program. The immunization program shall purchase ~~vaccines~~ recommended immunizations consistent with the goals of the program from the federal Centers for Disease Control and Prevention or another vendor at the lowest available cost. ~~The Department shall determine annually which vaccines for adults shall be purchased under the program.~~

(d) The immunization program shall provide for distribution of the ~~vaccines~~ recommended immunizations to health care professionals and health care facilities for administration to patients.

(e) Health insurers shall remit to the Department the cost of ~~vaccines~~ recommended immunizations, as established by the ~~Commissioner of Health~~ based on the recommendation of the Immunization Funding Advisory Committee established in subsection (g) of this section.

(f) The Department shall charge each health insurer a surcharge for the costs and administration of the immunization program. The surcharge shall be deposited into an existing special fund and used solely for the purpose of administering the program.

(g)(1) The Immunization Funding Advisory Committee is established to provide the Commissioner of Health with an annual per-member per-month cost for vaccines recommended immunizations for the pediatric population, an annual per-member per-month cost for vaccines recommended immunizations for the adult population, and a recommendation for the amount of the yearly vaccine immunization assessment. The Committee shall comprise the following nine members:

(A) the Executive Officer of the Board of Pharmacy or designee;

(B) the Executive Director of the Green Mountain Care Board or designee;

(C) a representative, appointed by the Director of the Vermont Blueprint for Health, ~~nominated by the Director of the Blueprint and appointed by the Commissioner of Health~~;

(D) three representatives of health insurers, one ~~from each of each~~ appointed by the State's largest three private health insurers, as determined by the number of covered lives, ~~appointed by the Commissioner of Health~~;

(E) a representative, appointed by the Vermont chapter of the American Academy of Pediatrics, ~~Vermont chapter, appointed by the Commissioner of Health~~;

(F) a representative, appointed by the Vermont chapter of the American Academy of Family Medicine, ~~Vermont chapter, appointed by the Commissioner of Health~~; and

(G) a representative of employers that self-insure for health coverage, appointed by the Commissioner of Health.

(2) The Committee shall select a chair from among its members at the first meeting of each calendar year. The Committee shall receive administrative and technical support from the Department of Health.

(3) ~~By~~ On or before January 1 of each year, the Committee shall provide to the Commissioner the annual fiscal assessment and the per-member per-month cost for pediatric vaccines recommended immunizations based on the total number of pediatric covered lives reported by health insurers and the per-member per-month cost for adult vaccines recommended immunizations based on the total number of adult covered lives reported by health insurers.

(h) If ~~federal~~ purchase requirements do not further the goal of ensuring universal access to ~~vaccines~~ recommended immunizations for all, the Commissioner may, following consultation with the Immunization Funding Advisory Committee, discontinue the program with six months' advance notice to all health care professionals and to all health insurers with Vermont covered lives.

(i) The Department may adopt rules under 3 V.S.A. chapter 25 to implement this section.

Sec. 2. 18 V.S.A. § 1130a is added to read:

§ 1130a. RECOMMENDED IMMUNIZATIONS

(a) The Commissioner shall periodically issue recommendations regarding:

(1) which immunizations children and adults are recommended to receive;

(2) the age at which each immunization is recommended to be given;

(3) the number of immunization doses that are recommended to be administered;

(4) the recommended amount of time between doses of an immunization; and

(5) any other recommendations regarding immunizations necessary to promote the maintenance of public health and disease prevention in the State.

(b) Prior to issuing recommendations under subsection (a) of this section, the Commissioner shall:

(1) consult with the Vermont Immunization Advisory Council, established under section 1131 of this title; and

(2) consider recommendations for immunizations issued by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), the American Academy of Family Physicians (AAFP), the American College of Obstetricians and Gynecologists (ACOG), the American College of Physicians (ACP), and any other organizations the Commissioner may deem necessary.

(c) A health care professional who prescribes, dispenses, or administers an immunization in accordance with the recommendations issued pursuant to subsection (a) of this section shall be immune from civil and administrative liability for immunization-caused adverse events, unless the health care professional's actions regarding prescribing, dispensing, or administering an

immunization constituted gross negligence, recklessness, or intentional misconduct.

(d) The Commissioner may issue a standing order authorizing health care professionals, including pharmacists, to prescribe, dispense, or administer recommended immunizations, or any combination thereof, to the extent that prescribing, dispensing, or administering recommended immunizations is within the scope of the health care professional's practice.

(e)(1) The Department shall prominently display information pertaining to recommended immunizations and other relevant information on its website, including how to access recommended immunizations.

(2) Any documents produced by the Department about the recommended immunizations shall include a disclosure if the recommended immunizations differ from the recommendations of the Vermont Immunization Advisory Council.

(f) As used in this section, "health care professional" and "recommended immunization" have the same meanings as in section 1130 of this title.

Sec. 3. 18 V.S.A. § 1131 is amended to read:

§ 1131. VERMONT IMMUNIZATION ADVISORY COUNCIL

(a) Creation. There is created the Vermont Immunization Advisory Council for the purpose of providing education policy, medical, and epidemiological expertise and advice to the Department with regard to the safety of immunizations and immunization schedules.

(b) Membership. The Council shall be composed of the following members:

(1) ~~a representative~~ the executive officer of the Vermont Board of Medical Practice, ~~appointed by the Governor or designee;~~

(2) ~~the Secretaries~~ Secretary of Human Services ~~and of~~ or designee;

(3) ~~the Secretary of~~ Education ~~or their designees~~ designee;

~~(3)~~(4) a representative of public schools, appointed by the Governor;

~~(4)~~(5) the State epidemiologist ~~Epidemiologist~~ or designee;

(6) the Department of Health's Immunization Program Manager or designee;

(7) a practicing pediatrician, appointed by the Governor;

(8) two individuals who are professors, researchers, or physicians, or any combination of these individuals, with expertise in infectious disease and human immunizations, appointed by the Governor;

(9) a family or internal medicine physician, appointed by the Governor;

(5)(10) a representative of both public and independent schools, appointed by the Governor; and practicing advanced practice registered nurse licensed pursuant to 26 V.S.A. chapter 28, appointed by the Governor;

(11) a practicing pharmacist licensed pursuant 26 V.S.A. chapter 36, appointed by the Governor; and

(6)(12) any other persons deemed necessary by the Commissioner.

(c) ~~Powers and duties~~ Duties.

(1) The Council shall:

~~(1)(A)~~ (A) review and make recommendations regarding the State's immunization schedule for attendance in schools and child care facilities; and

~~(2)(B)~~ (B) provide any other advice and expertise requested by the Commissioner, including advice regarding recommended immunizations as defined in section 1130 of this title.

(2) The Secretary of Education or designee and representative of public schools shall not vote on advice regarding recommended immunizations as defined in section 1130 of this title.

(d) Assistance. The Council shall have the administrative, and technical, ~~and legal~~ assistance of the Department.

(e) Meetings.

(1) The Council shall convene at the call of the Commissioner, but ~~no~~ not less than once each year.

(2) The Council shall select a chair from among its members at the first meeting who shall not be the Commissioner.

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

* * * Effective on Passage until July 1, 2031: Insurance Coverage for
Commissioner of Health's Recommended Immunizations * * *

Sec. 4. 8 V.S.A. § 4042 is amended to read:

§ 4042. GROUP INSURANCE POLICIES; REQUIRED POLICY
PROVISIONS

* * *

(b) Protections for covered individuals.

* * *

(4) No cost sharing for preventive services.

(A) A group insurance policy shall not impose any co-payment, coinsurance, or deductible requirements for:

* * *

(ii) recommended immunizations for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved as defined in 18 V.S.A. § 1130;

* * *

Sec. 5. 33 V.S.A. § 1811 is amended to read:

§ 1811. HEALTH BENEFIT PLANS FOR INDIVIDUALS AND SMALL EMPLOYERS

* * *

(d)(1) Guaranteed issue.

* * *

(5)(A) No cost sharing for preventive services. A health benefit plan shall not impose any co-payment, coinsurance, or deductible requirements for:

* * *

(ii) recommended immunizations for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved as defined in 18 V.S.A. § 1130;

* * *

* * * Effective on Passage until July 1, 2031: Pharmacist and Pharmacy Technician Authority under the Commissioner of Health's Immunization Recommendations * * *

Sec. 6. 26 V.S.A. § 2023 is amended to read:

§ 2023. CLINICAL PHARMACY; PRESCRIBING

* * *

(b) A pharmacist may prescribe in the following contexts:

* * *

(2) State protocol.

(A) A pharmacist may prescribe, order, or administer in a manner consistent with valid State protocols that are approved by the Commissioner of Health after consultation with the Director of Professional Regulation and the Board and the ability for public comment:

(i) opioid antagonists;

(ii) epinephrine auto-injectors;

(iii) tobacco cessation products;

(iv) tuberculin purified protein derivative products;

(v) self-administered hormonal contraceptives, including subcutaneous depot medroxyprogesterone acetate;

(vi) dietary fluoride supplements;

(vii) recommended immunizations as defined in 18 V.S.A. § 1130 for patients 18 years of age or older, ~~vaccinations recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP) and administered consistently with the ACIP-approved immunization schedules, as may be amended from time to time;~~

(viii) for patients five years of age or older, influenza vaccine immunization, COVID-19 vaccine immunization, and subsequent formulations or combination products thereof consistent with the recommendations established in accordance with 18 V.S.A. § 1130a;

* * *

Sec. 7. 26 V.S.A. § 2042a is amended to read:

§ 2042a. PHARMACY TECHNICIANS; QUALIFICATIONS FOR REGISTRATION

* * *

(c) Pharmacy technicians shall only administer immunizations:

(1) when a licensed pharmacist who is trained to immunize is present and able to assist with the immunization, as needed;

(2) pursuant to:

(A) a valid prescription by a practitioner;

(B) a standing order made by the Commissioner of Health; or

(C) a protocol approved by the Commissioner of Health under subdivision 2023(b)(2)(A) of this title; and

(3) to patients:

(A) 18 years of age or older, as established in subdivision 2023(b)(2)(A)(vii) and the resulting State protocol; and

(2)(B) to patients five years of age or older, seeking an influenza vaccine immunization, COVID-19 vaccine immunization, and subsequent formulations or combination products thereof, in accordance with subdivision 2023(b)(2)(A)(viii) and the resulting State protocol;

(3) pursuant to the schedules and recommendations of the Advisory Committee on Immunization Practices' recommendations for the administration of immunizations, as those recommendations may be updated from time to time; and

(4) when a licensed pharmacist who is trained to immunize is present and able to assist with the immunization, as needed.

(d) Pharmacy technicians shall administer only those immunizations that:

(1) are recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP); and

(2) licensed pharmacists are permitted to administer under the State clinical pharmacy protocol, as established in subdivision 2023(b)(2) of this title.

(e) Pharmacy technicians performing COVID-19 tests shall do so only:

(1) when a licensed pharmacist who is trained to perform COVID-19 tests is present and able to assist with the test, as needed;

(2) in accordance with a State protocol adopted under subdivision 2023(b)(2)(A)(x) of this title; and

(3) in accordance with rules adopted by the Board.

(f)(e) The Board may adopt rules regarding the administration of immunizations and the performance of COVID-19 tests by pharmacy technicians.

* * * Effective on July 1, 2031: Restoring Certain Immunization
Recommendation Processes * * *

Sec. 8. 18 V.S.A. § 1130 is amended to read:

§ 1130. IMMUNIZATION FUNDING

(a) As used in this section:

* * *

(4) “~~Recommended immunization~~ Immunization” means a vaccine or other immunizing agent that provides protection against a particular disease or pathogen and the application of the immunizations as recommended by the practice guidelines for children and adults established by the ~~Commissioner~~ Advisory Committee on Immunization Practices (ACIP) to the Centers for Disease Control and Prevention (CDC) pursuant to section 1130a of this title.

* * *

(b)(1) The Department of Health shall administer an immunization program with the goals of ensuring universal access to ~~recommended~~ immunizations at no charge to the individual and reducing the cost at which the State may purchase ~~recommended~~ immunizations. The Department shall purchase, provide for the distribution of, and monitor the use of ~~recommended~~ immunizations as provided for in this subsection and subsection (c) of this section. The cost of the ~~recommended~~ immunizations and an administrative surcharge shall be reimbursed by health insurers as provided for in subsections (e) and (f) of this section.

(2) The Department shall solicit, facilitate, and supervise the participation of health care professionals, health care facilities, and health insurers in the immunization program in order to accomplish the State’s goal of universal access to ~~recommended~~ immunizations at the lowest practicable cost to individuals, insurers, and State health care programs.

(3) The Department shall gather and analyze data regarding the immunization program for the purpose of ensuring its quality and maximizing protection of Vermonters against diseases preventable by immunization.

(c) ~~The Department shall determine which recommended immunizations shall be purchased under the program.~~ The immunization program shall purchase ~~recommended~~ immunizations ~~consistent with the goals of the program~~ from the federal Centers for Disease Control and Prevention ~~or another vendor~~ at the lowest available cost. The Department shall determine annually which immunizations for adults shall be purchased under the program.

(d) The immunization program shall provide for distribution of the ~~recommended~~ immunizations to health care professionals and health care facilities for administration to patients.

(e) Health insurers shall remit to the Department the cost of ~~recommended~~ immunizations, as established by the Commissioner based on the recommendation of the Immunization Funding Advisory Committee established in subsection (g) of this section.

(f) The Department shall charge each health insurer a surcharge for the costs and administration of the immunization program. The surcharge shall be deposited into an existing special fund and used solely for the purpose of administering the program.

(g)(1) The Immunization Funding Advisory Committee is established to provide the Commissioner with an annual per-member per-month cost for ~~recommended~~ immunizations for the pediatric population, an annual per-member per-month cost for ~~recommended~~ immunizations for the adult population, and a recommendation for the amount of the yearly immunization assessment. The Committee shall comprise the following nine members:

* * *

(2) The Committee shall select a chair from among its members at the first meeting of each calendar year. The Committee shall receive administrative and technical support from the Department.

(3) On or before January 1 of each year, the Committee shall provide to the Commissioner the annual fiscal assessment and the per-member per-month cost for pediatric ~~recommended~~ immunizations based on the total number of pediatric covered lives reported by health insurers and the per-member per-month cost for adult ~~recommended~~ immunizations based on the total number of adult covered lives reported by health insurers.

(h) If federal purchase requirements do not further the goal of ensuring universal access to ~~recommended~~ immunizations for all, the Commissioner may, following consultation with the Immunization Funding Advisory Committee, discontinue the program with six months' advance notice to all health care professionals and to all health insurers with Vermont covered lives.

(i) The Department may adopt rules under 3 V.S.A. chapter 25 to implement this section.

Sec. 9. 18 V.S.A. § 1131 is amended to read:

§ 1131. VERMONT IMMUNIZATION ADVISORY COUNCIL

(a) Creation. There is created the Vermont Immunization Advisory Council for the purpose of providing education policy, medical, and epidemiological expertise and advice to the Department with regard to the safety of immunizations and immunization schedules.

* * *

(c) Duties.

(1) The Council shall:

(A)(1) review and make recommendations regarding the State's immunization schedule for attendance in schools and child care facilities; and

(B)(2) provide any other advice and expertise requested by the Commissioner, ~~including advice regarding recommended immunizations as defined in section 1130 of this title.~~

(2) ~~The Secretary of Education or designee and representative of public schools shall not vote on advice regarding recommended immunizations as defined in section 1130 of this title.~~

* * *

(e) Meetings.

(1) The Council shall convene at the call of the Commissioner, but not less than once each year.

(2) The Council shall select a chair from among its members at the first meeting ~~who shall not be the Commissioner.~~

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

* * * Effective on July 1, 2031: Restoring the Current Insurance Coverage for Immunizations in Effect Prior to Passage * * *

Sec. 10. 8 V.S.A. § 4042 is amended to read:

§ 4042. GROUP INSURANCE POLICIES; REQUIRED POLICY PROVISIONS

* * *

(b) Protections for covered individuals.

* * *

(4) No cost sharing for preventive services.

(A) A group insurance policy shall not impose any co-payment, coinsurance, or deductible requirements for:

* * *

(ii) recommended immunizations as defined in 18 V.S.A. § 1130 for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved;

* * *

Sec. 11. 33 V.S.A. § 1811 is amended to read:

§ 1811. HEALTH BENEFIT PLANS FOR INDIVIDUALS AND SMALL EMPLOYERS

* * *

(d)(1) Guaranteed issue.

(A) A registered carrier shall guarantee acceptance of all individuals and their dependents for any health benefit plan offered by the carrier in the individual market, regardless of any outstanding premium amount a subscriber may owe to the carrier for coverage provided during the previous plan year.

* * *

(5)(A) No cost sharing for preventive services. A health benefit plan shall not impose any co-payment, coinsurance, or deductible requirements for:

* * *

(ii) recommended immunizations as defined in 18 V.S.A. § 1130 for routine use in children, adolescents, and adults that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention with respect to the individual involved;

* * *

* * * Effective on July 1, 2031: Restoring Current Pharmacist and Pharmacy Technician Authority in Effect Prior to Passage * * *

Sec. 12. 26 V.S.A. § 2023 is amended to read:

§ 2023. CLINICAL PHARMACY; PRESCRIBING

* * *

(b) A pharmacist may prescribe in the following contexts:

* * *

(2) State protocol.

(A) A pharmacist may prescribe, order, or administer in a manner consistent with valid State protocols that are approved by the Commissioner of Health after consultation with the Director of Professional Regulation and the Board and the ability for public comment:

- (i) opioid antagonists;
- (ii) epinephrine auto-injectors;
- (iii) tobacco cessation products;
- (iv) tuberculin purified protein derivative products;
- (v) self-administered hormonal contraceptives, including subcutaneous depot medroxyprogesterone acetate;
- (vi) dietary fluoride supplements;
- (vii) ~~recommended immunizations as defined in 18 V.S.A. § 1130~~ for patients 18 years of age or older, vaccinations recommended by the Centers for Disease Control and Prevention’s Advisory Committee on Immunization Practices (ACIP) and administered consistently with the ACIP-approved immunization schedules, as may be amended from time to time;
- (viii) ~~for patients five years of age or older, influenza immunization vaccine, COVID-19 immunization vaccine, and subsequent formulations or combination products thereof consistent with the recommendations established in accordance with 18 V.S.A. § 1130a;~~

* * *

Sec. 13. [Deleted.]

* * * Effective on July 1, 2031: Repeal of Immunization Recommendations

* * *

Sec. 14. REPEAL; IMMUNIZATION RECOMMENDATIONS

18 V.S.A. § 1130a (recommended immunizations) is repealed on July 1, 2031.

* * * Effective Dates * * *

Sec. 15. EFFECTIVE DATES

- (a) This section, Secs. 1–7, and Sec. 14 shall take effect on passage.
- (b) Secs. 8–13 shall take effect on July 1, 2031.

New Business

Third Reading

H. 512

An act relating to the regulation of the event ticketing market

Favorable with Amendment

H. 582

An act relating to adult protective services

Rep. Noyes of Wolcott, for the Committee on Human Services, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 33 V.S.A. § 6902 is amended to read:

§ 6902. DEFINITIONS

As used in this chapter:

* * *

(21)(A) “Neglect” means ~~purposeful, knowing, or reckless failure or omission by a caregiver that has resulted in, or could be expected to result in, physical or psychological harm, including a failure or omission to:~~

~~(i) provide care or arrange for goods or services necessary to maintain the health or safety of a vulnerable adult, including food, clothing, medicine, shelter, supervision, and medical services, unless the caregiver is acting pursuant to the wishes of the vulnerable adult or the vulnerable adult’s representative, or an advance directive, as defined in 18 V.S.A. § 9701;~~

~~(ii) make a reasonable effort, in accordance with the authority granted the caregiver, to protect a vulnerable adult from abuse, neglect, or exploitation by others;~~

~~(iii) carry out a plan of care for a vulnerable adult unless the caregiver is acting pursuant to the wishes of the vulnerable adult or the vulnerable adult’s representative, or an advance directive, as defined in 18 V.S.A. § 9701; or~~

~~(iv) report significant changes in the health status of a vulnerable adult to a physician, nurse, or immediate supervisor, when the caregiver is employed by an organization that offers, provides, or arranges for personal care the failure of a caregiver, agent, or fiduciary to provide the goods or services that are necessary to maintain the health or safety, or both, of a vulnerable adult.~~

(B) ~~Neglect~~ “Neglect” does not include self-neglect.

(C) The actions or inactions of a caregiver or fiduciary shall not be considered neglect if the caregiver or fiduciary is acting:

(i) pursuant to the wishes of the vulnerable adult;

(ii) at the direction and authority of the vulnerable adult’s representative; or

(iii) in accordance with the terms of the vulnerable adult’s advance directive.

* * *

(26) ~~“Report” means the statements provided to Adult Protective Services from a reporter alleging that a vulnerable adult has been abused, neglected, or exploited.~~

(27) “Reporter” means the person who has submitted a report to Adult Protective Services or to a licensing entity in accordance with section 6904 of this chapter.

(28) “Representative” means a court-appointed guardian, an agent acting under an advance directive executed pursuant to 18 V.S.A. chapter 231, or an agent under a power of attorney, unless otherwise specified in the terms of the power of attorney.

* * *

(35) “Advance directive” has the same meaning as in 18 V.S.A. § 9701.

(36)(A) “Fiduciary” means an individual or entity with the legal responsibility to:

(i) make decisions on behalf of and for the benefit of another individual; and

(ii) act in good faith and with fairness.

(B) The term “fiduciary” includes a trustee, guardian, conservator, executor, agent under a power of attorney or an advance directive, or representative payee.

Sec. 2. 33 V.S.A. § 6904 is amended to read:

§ 6904. NATURE AND CONTENT OF REPORT; TO WHOM MADE

(a) A Except as otherwise provided for certain reports of neglect in subsection (b) of this section, a report shall be made to the Commissioner or the Commissioner’s designee. To be considered a report to the Commissioner

or designee, it shall contain the name and address of the reporter as well as the names and addresses of the vulnerable adult and persons responsible for the vulnerable adult's care, if known; the age of the vulnerable adult; the nature of the vulnerable adult's disability; the nature and extent of the vulnerable adult's abuse, neglect, or exploitation together with any evidence of previous abuse, neglect, or exploitation of the vulnerable adult; and any other information that the reporter believes might be helpful in establishing the cause of any injuries or reasons for the abuse, neglect, or exploitation as well as in protecting the vulnerable adult. If the reporter is in possession of documentation that establishes the alleged victim's conditions, needs, or services, that shall be included in the report. Any evidence of maltreatment shall also be cited in the report. If a report of abuse, neglect, or exploitation involves the acts or omissions of the Commissioner or employees of the Department, then such reports shall be directed to the Secretary of Human Services, who shall cause the report to be investigated by appropriate staff other than staff of the Department.

(b)(1) If neglect is alleged to have been perpetrated within a facility licensed by the State or a program licensed by the State, or to have been perpetrated by an individual licensed by the State, the report shall be made to the relevant licensing entity or entities as follows:

(A) Neglect within a licensed facility or program shall be reported to the applicable State licensing unit in accordance with State and federal licensing rules and regulations.

(B) Neglect by an individual licensed by the Office of Professional Regulation shall be reported to the Office of Professional Regulation.

(C) Neglect by an individual licensed by the Board of Medical Practice shall be reported to the Board of Medical Practice.

(2)(A) If a licensing entity receives a report of alleged neglect pursuant to subdivision (1) of this subsection (b), the licensing entity shall notify Adult Protective Services that the licensing entity has received a report and is acting upon it accordingly.

(B) If the licensing entity identifies neglect allegedly perpetrated within a licensed facility or program or by a licensed individual, the licensing entity shall make a report to Adult Protective Services in accordance with subsection (a) of this section.

Sec. 3. 33 V.S.A. § 6906 is amended to read:

§ 6906. ASSESSMENT AND INVESTIGATION

* * *

(c) Investigation.

* * *

(10) Within 30 calendar days after the date of the notice advising that a report has been substantiated, an alleged perpetrator against whom a complaint has been lodged may apply to the Human Services Board for relief on the grounds that it is unsubstantiated. The Human Services Board shall hold a fair hearing under 3 V.S.A. § 3091 within 60 calendar days after the date of the alleged perpetrator's request for a fair hearing. ~~Unless the Commissioner agrees otherwise, the hearing shall be given priority by the Human Services Board, and an expedited hearing shall be provided, not later than 30 calendar days after the date of the notice advising that a report has been substantiated, and a decision shall be issued within seven calendar days after the hearing.~~ Priority shall be given to appeals in which there are immediate employment consequences for the person appealing the decision. The hearing officer's written findings and recommendation shall be issued within 15 calendar days after the hearing.

* * *

Sec. 4. EFFECTIVE DATE

This act shall take effect on October 1, 2026.

(Committee Vote: 10-0-1)

NOTICE CALENDAR

Favorable with Amendment

H. 67

An act relating to legislative operations and government accountability

Rep. Waters Evans of Charlotte, for the Committee on Government Operations and Military Affairs, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Purpose and Findings * * *

Sec. 1. PURPOSE

The purpose of this act is to advance the principle of government accountability by examining how evidence is used to inform policy, how State laws are implemented, and how legislation may be structured to achieve its intended outcomes. This act seeks to support consistent and transparent

accountability practices through simple, clear, independent, objective, and fact-based processes.

* * * Pilot Government Accountability Project * * *

Sec. 2. PILOT GOVERNMENT ACCOUNTABILITY PROJECT

(a) Assignment. The Joint Fiscal Committee shall, in addition to its other duties described in law and rules, conduct the Pilot Government Accountability Project to examine governmental practices, make recommendations on improving those practices, and develop effective tools for evaluating government accountability.

(b) Selection of Project issues before the Committee. The Chief Fiscal Officer of the Joint Fiscal Office, in consultation with the Speaker of the House, the President Pro Tempore, and the leaders of the major political parties in both the House and the Senate, will select issues for the Committee's consideration and refer these to the Joint Fiscal Committee on or before August 1, 2026.

(c) Charge. The Committee is charged with completing, to the extent feasible, Project elements as described in this section.

(1) Examination of issues selected by Committee. The Committee shall be empowered to examine, investigate, and otherwise analyze issues that it selects pursuant to subsection (b) of this section.

(2) Review of program performance. The Committee shall examine whether State programs and initiatives are advancing the policy goals established in statute, including consideration of outcome data, implementation progress, and operational challenges.

(3) Consideration of evidence and evaluation. The Committee shall review available research, independent evaluations, audits, and performance measures relevant to State programs and policies and encourage the use of reliable data and evaluation methods in legislative decision making.

(4) Identification of effective practices and improvement opportunities. The Committee shall highlight approaches that demonstrate positive outcomes, identify barriers to effective implementation, and recommend reasonable opportunities for improvement, coordination, or replication where appropriate.

(5) Support for alignment of policy, funding, and outcomes. The Committee shall provide information and recommendations that assist the General Assembly in aligning appropriations, statutory intent, and measurable results.

(6) Monitoring of follow-up actions. The Committee shall, when issuing recommendations, request updates from relevant agencies regarding actions taken or progress made, as appropriate.

(7) Coordination with existing oversight entities. The Committee shall work in consultation with legislative committees of jurisdiction, the State Auditor, the Chief Performance Officer, and other relevant entities to avoid duplication and to support efficient use of State resources.

(8) Surveying of data and data impact. The Committee shall survey available State data and documented impacts to better understand implementation, outcomes, and opportunities for improvement.

(9) Communication of outcomes. The Committee shall consider how and when program outcomes and performance information are communicated, including the audiences receiving such information and the clarity, timeliness, and usefulness of the communication for supporting transparency, public understanding, and informed decision making.

(10) Development of evaluation tools. The Committee may consider the development or use of appropriate tools and methods to assess program outcomes and performance, including measures that support consistent evaluation, transparency, and informed legislative and administrative decision making.

(d) Report. On or before December 15, 2026, and again on or before November 15, 2027, the Committee shall present and submit a written report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations that includes any findings on the issues examined and any recommendations for legislative action.

* * * Joint Fiscal Office Consultant; Appropriation * * *

Sec. 3. JOINT FISCAL OFFICE CONSULTANT; APPROPRIATION

(a) Committee personnel. The Joint Fiscal Office may, to conduct research and analysis and to provide other support as necessary for the Pilot Government Accountability Project, either:

(1) contract with a consultant for a two-year term; or

(2) create a new exempt temporary service position for a two-year term.

(b) Appropriation. There is appropriated to the Joint Fiscal Office from the General Fund in fiscal year 2027 the sum of \$150,000.00 for Pilot Government Accountability Project personnel.

* * * Effective Date * * *

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 11-0-0)

H. 573

An act relating to the first certification of an emergency examination

Rep. Berbeco of Winooski, 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. § 7110 is amended to read:

§ 7110. ~~CERTIFICATION OF MENTAL ILLNESS~~

~~A certification of mental illness by a licensed physician required by section 7504 of this title shall be made by a board-eligible psychiatrist, a board-certified psychiatrist, or a resident in psychiatry, under penalty of perjury. In areas of the State where board-eligible psychiatrists, board-certified psychiatrists, or residents in psychiatry are not available to complete admission certifications to the Vermont State Hospital or its successor in interest, the Commissioner may designate other licensed physicians as appropriate to complete certification for purposes of section 7504 of this title. [Repealed.]~~

Sec. 2. 18 V.S.A. § 7504 is amended read:

§ 7504. APPLICATION AND CERTIFICATE FOR EMERGENCY
EXAMINATION

(a) Upon written application by ~~an interested party~~ a qualified mental health professional made under the pains and penalties of perjury and accompanied by a certificate by a ~~licensed physician~~ health care professional who is not the applicant, a person shall be held for admission to a hospital for an emergency examination to determine if ~~he or she~~ the person is a person in need of treatment. The application and certificate shall set forth the facts and circumstances that constitute the need for an emergency examination and that show that the person is a person in need of treatment.

(b) The application and certificate shall be authority for transporting the person to a hospital for an emergency examination, as provided in section 7511 of this title.

(c) ~~For the purposes of admission~~ Admission of an individual to a designated hospital for care and treatment under this section, shall be overseen

~~by a head of a hospital, as provided in subsection (a) of this section, who may include a person designated~~ designate a person in writing by the head of the hospital to discharge the authority granted in this section ~~subsection~~. A designated person must be an official hospital administrator, supervisory personnel, or a licensed physician on duty on the hospital premises other than the certifying ~~physician~~ health care professional under subsection (a) of this section.

(d) Prior to issuing a certificate pursuant to this section, a health care professional shall successfully complete a training developed and administered by the Department.

(e) As used in this section, "health care professional" means a physician licensed pursuant to 26 V.S.A. chapter 23 or 33, an advanced practice registered nurse licensed pursuant to 26 V.S.A. chapter 28, or a physician assistant licensed pursuant to 26 V.S.A. chapter 31.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 9-0-2)

H. 578

An act relating to penalties and procedures for animal cruelty offenses

Rep. Rachelson of Burlington, 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. § 351 is amended to read:

§ 351. DEFINITIONS

As used in this chapter:

* * *

(21) "Sexual conduct" means:

(A) any act between a person and animal that involves contact between the mouth, sex organ, or anus of a person and the mouth, sex organ, or anus of an animal; or

(B) without a bona fide veterinary or animal husbandry purpose, the insertion, however slight, of any part of a person's body or of any instrument, apparatus, or other object into the vaginal or anal opening of an animal;

(C) without a bona fide veterinary or animal husbandry purpose, a person touching or fondling a sex organ or anus of an animal, either directly or through clothing; or

(D) without a bona fide veterinary or animal husbandry purpose, any intentional transfer or transmission of semen by a person upon any part of an animal.

* * *

(25) “Working with” means working or volunteering in any capacity, including as an independent contractor, that requires the person to be in contact with an animal, including at a commercial boarding or training establishment, shelter, animal control facility, pet shop, grooming facility, commercial breeding service, veterinary hospital or clinic, animal welfare society, or any nonprofit organization incorporated for the purpose of providing for or promoting the welfare, protection, and humane treatment of animals.

Sec. 2. 13 V.S.A. § 352 is amended to read:

§ 352. CRUELTY TO ANIMALS

A person commits the crime of cruelty to animals if the person:

(1) Intentionally kills or attempts to kill any animal belonging to another person without first obtaining legal authority or consent of the owner.

(2) Overworks, overloads, tortures, torments, abandons, administers poison to, cruelly harms or mutilates an animal, or exposes a poison with intent that it be taken by an animal.

(3) Ties, tethers, or restrains an animal, either a pet or livestock, in a manner that is inhumane or is detrimental to its welfare. Livestock and poultry husbandry practices are exempted.

(4) Deprives an animal that a person owns, possesses, or acts as an agent for of adequate food, water, shelter, rest, sanitation, or necessary medical attention or transports an animal in overcrowded vehicles.

(5)(A) Owns, possesses, keeps, or trains an animal engaged in an exhibition of fighting; possesses, keeps, or trains any animal with intent that it be engaged in an exhibition of fighting; or permits any such act to be done on premises under ~~his or her~~ the person’s charge or control.

(B) Owns, possesses, ships, transports, delivers, or keeps a device, equipment, or implement for the purpose of training or conditioning an animal for participation in animal fighting or enhancing an animal’s fighting capability.

(6) Acts as judge or spectator at events of animal fighting or bets or wagers on the outcome of such fight.

(7) As poundkeeper, officer, or agent of a humane society or as an owner or employee of an establishment for treatment, board, or care of an animal, knowingly receives, sells, transfers, or otherwise conveys an animal in ~~his or her~~ the person's care for the purpose of research or vivisection.

(8) Intentionally torments or harasses an animal owned or engaged by a police department or public agency of the State or its political subdivisions or interferes with the lawful performance of a police animal.

(9) Knowingly sells, offers for sale, barter, or displays living baby chicks, ducklings, or other fowl that have been dyed, colored, or otherwise treated so as to impart to them an artificial color or fails to provide poultry with proper brooder facilities.

(10) Uses a live animal as bait or lure in a race, game, or contest or in training animals in a manner inconsistent with 10 V.S.A. Part 4 or the rules adopted thereunder.

(11)(A) Engages in sexual conduct with an animal.

(B) Possesses, sells, transfers, purchases, or otherwise obtains an animal with the intent that it be used for sexual conduct.

(C) Organizes, promotes, conducts, aids, abets, or participates in as an observer an act involving any sexual conduct with an animal.

(D) Causes, aids, or abets another person to engage in sexual conduct with an animal.

(E) Permits sexual conduct with an animal to be conducted on premises under ~~his or her~~ the person's charge or control.

(F) Advertises, offers, or accepts the offer of an animal with the intent that it be subject to sexual conduct in this State.

(G) Knowingly possesses, films, or distributes obscene visual images of sexual conduct with an animal.

(12) Possesses, owns, cares for, resides with, has custody of, or works with an animal while the person is prohibited from possessing, owning, caring for, having custody of, or working with an animal by a court order.

(13) Knowingly refuses to comply with a court order issued pursuant to subdivision 351(b)(1)(E) of this title to permit periodic unannounced visits by a humane officer.

Sec. 3. 13 V.S.A. § 352a is amended to read:

§ 352a. AGGRAVATED CRUELTY TO ANIMALS

A person commits the crime of aggravated cruelty to animals if the person:

(1) kills an animal by intentionally causing the animal undue pain or suffering;

(2) intentionally, maliciously, and without just cause tortures, mutilates, or cruelly beats an animal; or

(3) intentionally injures or kills an animal that is in the performance of official duties while under the supervision of a law enforcement officer; or

(4)(A) engages in sexual conduct with an animal in the presence of a minor or in which a minor is a participant;

(B) possesses, sells, transfers, purchases, or otherwise obtains an animal with the intent that it be used for sexual conduct in the presence of a minor or in which a minor is a participant;

(C) organizes, promotes, conducts, aids, abets, or participates in an act involving any sexual conduct with an animal in the presence of a minor or in which a minor is a participant as an observer;

(D) causes, aids, or abets another person to engage in sexual conduct with an animal in the presence of a minor or in which the minor is a participant;

(E) permits sexual conduct with an animal in the presence of a minor or in which a minor is a participant that is conducted on premises under the person's charge or control;

(F) advertises, offers, or accepts the offer of an animal with the intent that it be subject to sexual conduct in this State in the presence of a minor or in which the minor participates; or

(G) knowingly possesses, films, or distributes obscene visual images of sexual conduct with an animal in the presence of a minor or in which the minor participates.

Sec. 4. 13 V.S.A. § 353 is amended to read:

§ 353. DEGREE OF OFFENSE; SENTENCING UPON CONVICTION

(a) Penalties.

(1) Except as provided in subdivision (3), (4), or (5) of this subsection, cruelty to animals under section 352 of this title shall be punishable by a sentence of imprisonment of not more than one year or a fine of not more than

\$2,000.00, or both. Second and subsequent convictions shall be punishable by a sentence of imprisonment of not more than two years or a fine of not more than \$5,000.00, or both.

(2) Aggravated cruelty under section 352a of this title shall be punishable by a sentence of imprisonment of not more than five years or a fine of not more than \$5,000.00, or both. Second and subsequent offenses shall be punishable by a sentence of imprisonment of not more than ~~ten~~ 10 years or a fine of not more than \$7,500.00, or both.

(3) An offense committed under subdivision 352(5) or (6) of this title shall be punishable by a sentence of imprisonment of not more than five years or a fine of not more than \$5,000.00, or both.

(4)(A) Except as provided in subdivision (B) of this subdivision (4), a person found in violation of subdivision 352(3), (4), or (9) of this title pursuant to this subdivision (A) shall be imprisoned not more than one year or fined not more than \$2,000.00, or both. Second and subsequent convictions shall be punishable by a sentence of imprisonment of not more than two years or a fine of not more than \$5,000.00, or both.

(B) In lieu of a criminal citation or arrest, a law enforcement officer may issue a civil citation to a person who violates subdivision 352(3), (4), or (9) of this title if the person has not been previously adjudicated in violation of this chapter. A person adjudicated in violation of subdivision 352(3), (4), or (9) of this title pursuant to this subdivision (B) shall be assessed a civil penalty of not more than \$500.00. At any time prior to the person admitting the violation and paying the assessed penalty, the State's Attorney may withdraw the complaint filed with the Judicial Bureau and file an information charging a violation of subdivision 352(3), (4), or (9) of this title in the Criminal Division of the Superior Court.

(C) Nothing in this subdivision (4) shall be construed to require that a civil citation be issued prior to a criminal charge of violating subdivision 352(3), (4), or (9) of this title.

(5) A person who violates subdivision 352(1) of this title by intentionally killing or attempting to kill an animal belonging to another or subdivision 352(2) of this title by torturing, administering poison to, or cruelly harming or mutilating an animal shall be imprisoned not more than two years or fined not more than \$5,000.00, or both.

(b)(1) In addition to any other sentence the court may impose, the court may require a defendant convicted of a violation under section 352 or 352a of this title to:

~~(1)(A) Forfeit For a first violation, forfeit any rights to the animal subjected to cruelty, and to any other animal, except livestock or poultry owned, possessed, residing or domiciled with, or in the custody of the defendant. Livestock or poultry shall not be subject to forfeiture under this subdivision (A) unless the person was convicted of abusing livestock or poultry.~~

~~(2)(B) Repay the reasonable costs incurred by any person, municipality, or agency for providing care for the animal prior to judgment. If the court does not order a defendant to pay all the applicable costs incurred or orders only partial payment, it shall state on the record the reasons for that action.~~

~~(3)(C)(i) Forfeit For a first violation of section 352 of this title, forfeit any future right to own, possess, or care for, reside with, have custody of, or work with any animal for a period that the court deems appropriate of up to five years.~~

~~(ii) For a first violation of section 352a of this title, forfeit any future right to own, possess, care for, reside with, have custody of, or work with any animal for a period of up to 10 years.~~

~~(iii) A person shall not be required to forfeit any future right to own, possess, care for, have custody of, or work with livestock or poultry under this subdivision (C) unless the person was convicted of abusing livestock or poultry.~~

~~(4)(D)(i)(I) Participate in complete an available animal cruelty prevention programs program that is approved by the Director of Animal Welfare;~~

~~(II) or educational programs, or both, or complete an animal abuse education accountability program, if any are approved by the Director of Animal Welfare; and~~

~~(III) obtain undergo a psychiatric or psychological counseling, evaluation, and, if the screening indicates that therapy is needed, obtain psychiatric, psychological, or mental health treatment with a licensed clinician, remotely or within a reasonable distance from the defendant's residence. If a juvenile is adjudicated delinquent under section 352 or 352a of this title, the court may order the juvenile to undergo a psychiatric or psychological evaluation and to participate in treatment that the court determines to be appropriate after due consideration of the evaluation. The court may impose the costs of such programs or counseling upon the defendant when appropriate.~~

~~(ii) The court may impose the costs of programs or counseling ordered pursuant to this subdivision (D) upon the defendant when appropriate.~~

(5)(E) Permit periodic unannounced visits for a period up to one year by a humane officer or the Director of Animal Welfare to inspect the care and condition of any animal permitted by the court to remain in the care, custody, or possession of the defendant during the period, and for up to one year after expiration of the period, that the defendant is prohibited from owning, possessing, caring for, residing with, having custody of, or working with an animal by an order issued pursuant to subdivision (C) of this subdivision (b)(1) or subdivision (2) of this subsection (b). Such period may be extended modified by the court upon motion made by the State.

(2) In addition to any other sentence the court may impose, the court shall require a defendant convicted of a violation under section 352 or 352a of this title to:

(A) For a second or subsequent violation, forfeit any rights to the animal subjected to cruelty, and to any other animal possessed, residing or domiciled with, or in the custody of the defendant. Livestock or poultry shall not be subject to forfeiture under this subdivision (A) unless the person was convicted of abusing livestock or poultry.

(B)(i) For a second or subsequent violation of section 352 of this title, forfeit any future right to own, possess, care for, reside with, have custody of, or work with any animal for a period of not less than five years.

(ii) For a second or subsequent violation of section 352a of this title, forfeit any future right to own, possess, care for, reside with, have custody of, or work with any animal for a period of not less than 10 years.

(iii) A person shall not be required to forfeit any future right to own, possess, care for, have custody of, or work with livestock or poultry under this subdivision (B) unless the person was convicted of abusing livestock or poultry.

(c) Upon an order of forfeiture of an animal under this section or section 354 of this title, the court shall order custody of the animal remanded to a humane society or other individual deemed appropriate by the court, for further disposition in accordance with accepted practices for humane treatment of animals. A transfer of rights under this section constitutes a transfer of ownership and shall not constitute or authorize any limitation upon the right of the humane society, individual, or other entity, to whom rights are granted to dispose of the animal.

(d)(1) A person who is prohibited from owning, possessing, caring for, residing with, having custody of, or working with an animal by an order issued pursuant to subdivision (b)(1)(C) or (b)(2) of this section may petition the

court for an order that the person be relieved from the prohibition imposed by that section. When the petition is filed, the petitioner shall provide notice and a copy of the petition to the office that prosecuted the case, who shall be the respondent in the matter. The petition shall be filed in the Criminal Division of the unit where the offense or the adjudication occurred.

(2) The court may grant a petition filed under this section without hearing if neither the State's Attorney nor the Attorney General files an objection within 30 days after receiving notice of the petition or if the petitioner and the respondent stipulate to the granting of the petition.

(3) In determining a petition filed under this section, unless the petition is granted pursuant to subdivision (2) of this subsection, the court may consider any relevant factors, including:

(A) whether the person committed any subsequent animal cruelty offenses or other criminal offenses;

(B) whether the person successfully completed any required conditions of probation;

(C) whether the person completed animal cruelty prevention programs or educational programs, and whether the programs were approved by the Director of Animal Welfare; and

(D) whether the person obtained psychiatric, psychological, or mental health counseling from a licensed clinician.

(4) The court shall grant a petition filed under this section if it finds that the petitioner has demonstrated by a preponderance of the evidence that the interests of justice are no longer served by prohibiting the petitioner from owning, possessing, caring for, residing with, having custody of, or working with an animal.

(5) If a petition filed under this section is granted, the court shall vacate the order prohibiting the person from owning, possessing, caring for, residing with, having custody of, or working with an animal.

(6) If the court denies the petition, the petitioner may appeal the denial to the Vermont Supreme Court. The appeal shall be on the record.

(7) If the court denies a petition filed under this section, no further petition shall be brought for at least two years, unless a shorter duration is authorized by the court.

Sec. 5. 13 V.S.A. § 354 is amended to read:

§ 354. ENFORCEMENT; POSSESSION OF ABUSED ANIMAL;
SEARCHES AND SEIZURES; FORFEITURE

(a) The Secretary of Agriculture, Food and Markets shall be consulted prior to any enforcement action brought pursuant to this chapter that involves livestock and poultry. Law enforcement may consult with the Secretary in person or by electronic means, and the Secretary shall assist law enforcement in determining whether the practice or animal condition, or both, represent acceptable livestock or poultry husbandry practices. Failure to conduct the consultation shall not be grounds for dismissal of the enforcement action.

(b) Any humane officer as defined in section 351 of this title may enforce this chapter. As part of an enforcement action, a humane officer may seize an animal ~~being cruelly treated in violation of this chapter pursuant to this subsection.~~

(1) Voluntary surrender. A humane officer may accept animals voluntarily surrendered by the owner anytime during the cruelty investigation. The humane officer shall have a surrendered animal examined and assessed within 72 hours by a veterinarian licensed to practice in the State of Vermont.

(2) Search and seizure using a search warrant. A humane officer having probable cause to believe an animal is being subjected to cruel treatment in violation of this subchapter may apply for a search warrant pursuant to the Vermont Rules of Criminal Procedure to authorize the officer to enter the premises where the animal is kept and seize the animal. The application and affidavit for the search warrant shall be reviewed and authorized by an attorney for the State when sought by an officer other than an enforcement officer defined in 23 V.S.A. § 4(11). A veterinarian licensed to practice in Vermont ~~must~~ shall, if practicable, accompany the humane officer during the execution of the search warrant. Failure to be accompanied by a veterinarian during the execution of the search warrant shall not be grounds for dismissal of the enforcement action.

(3) Seizure without a search warrant. If the humane officer witnesses a situation in which the humane officer determines that an animal's life is in jeopardy and immediate action is required to protect the animal's health or safety, the officer may seize the animal without a warrant. The humane officer shall immediately take an animal seized under this subdivision to a licensed veterinarian for medical attention to stabilize the animal's condition and to assess the health of the animal.

(c) A humane officer shall provide suitable care at a reasonable cost for an animal seized under this section, and have a lien on the animal for all expenses incurred. A humane officer may arrange for the euthanasia of a severely injured, diseased, or suffering animal upon the recommendation of a licensed veterinarian. A humane officer may arrange for euthanasia of an animal seized under this section when the owner is unwilling or unable to provide necessary medical attention required while the animal is in custodial care or when the animal cannot be safely confined under standard housing conditions. An animal not destroyed by euthanasia shall be kept in custodial care and provided with necessary medical care until final disposition of the criminal charges except as provided in subsections ~~(d) through (h)~~ ~~(d)–(l)~~ of this section. The custodial caregiver shall be responsible for maintaining the records applicable to all animals seized, including identification, residence, location, medical treatment, and disposition of the animals.

~~(d) If an animal is seized under this section, the State may institute a civil proceeding for forfeiture of the animal in the territorial unit of the Criminal Division of the Superior Court where the offense is alleged to have occurred. The proceeding shall be instituted by a motion for forfeiture if a criminal charge has been filed or a petition for forfeiture if no criminal charge has been filed, which shall be filed with the court and served upon the animal's owner. The civil forfeiture proceeding is intended to run independently from any criminal prosecution and shall not be delayed pending disposition of any criminal proceeding.~~

~~(e)(1) A preliminary hearing shall be held within 21 days of institution of the civil forfeiture proceeding. If the defendant requests a hearing on the merits, the court shall schedule a final hearing on the merits to be held within 21 days of the date of the preliminary hearing. Time limits under this subsection shall not be construed as jurisdictional.~~

~~(2) If the defendant fails to respond to the notice for preliminary hearing, the court shall enter a default judgment ordering the immediate forfeiture of the animal in accordance with the provisions of subsection 353(c) of this title. A motion to reopen a default judgment shall be filed in writing with the court no later than 30 days after entry of a default judgment. A default judgment shall not be reopened unless good cause is shown.~~

~~(f)(1) At the hearing on the motion for forfeiture, the State shall have the burden of establishing by clear and convincing evidence that the animal was subjected to cruelty, neglect, or abandonment in violation of section 352 or 352a of this title. The court shall make findings of fact and conclusions of law and shall issue a final order. If the State meets its burden of proof, the court~~

~~shall order the immediate forfeiture of the animal in accordance with the provisions of subsection 353(e) of this title.~~

(1) Unless a person claiming a legal interest in the animal requests a forfeiture hearing pursuant to subdivision (3)(A) of this subsection and posts security pursuant to subdivision (3)(B) of this subsection or requests that the security be reduced or waived on the basis of financial hardship, title to an animal seized pursuant to subsection (b) of this section shall be forfeited pursuant to subsection 353(c) of this title 14 days after seizure if the procedures of this subsection are followed.

(2) The humane officer who seizes an animal pursuant to this section shall give notice of this section at the time of the seizure by delivering a copy of it to a person who is present and claims a legal interest in the animal. Any person who is known to claim a legal interest in the animal who is not present shall be served with the notice by conspicuously posting it in a prominent and accessible place at the location where the animal is seized. The notice shall include:

(A) a description of the animal seized; the authority and purpose for the seizure; the time, place, and circumstances under which the animal was seized; and the contact information for the authority with legal custody of the animal;

(B) a statement that any person claiming a legal interest in the animal at the time of seizure may post security and request a forfeiture hearing concerning the seizure and that failure to do so within 14 days following the date of the seizure will result in forfeiture of title and disposition of the animal;

(C) a statement of the amount due as security and how to pay it;

(D) a statement that the security required by this section may be reduced or waived by the court on the basis of financial hardship to the defendant; and

(E) a form that may be used to request a forfeiture hearing under subdivision (3)(A) of this subsection (d) and a financial hardship exemption under subsection (j) of this section.

(3)(A) The court shall hold a forfeiture hearing if a request is made within 14 days after the seizure by a person claiming a legal interest in the animal at the time of the seizure. If the defendant has requested that the security be reduced or waived on the basis of financial hardship, the court shall grant or deny the request at or before the hearing. The hearing shall be held within 30 days after the request, unless the 30-day period is extended by the

court for good cause shown, in the territorial unit of the Civil Division of the Superior Court where the offense is alleged to have occurred.

(B) A person who requests a forfeiture hearing pursuant to this subdivision (3) shall post security in an amount needed to cover food and necessary veterinary care for the animal for an initial 40-day period, with an additional amount equal to the estimated cost of care and keeping of the animal for a subsequent 30-day period due every 30 days thereafter until the owner relinquishes the animal or until the court issues an order of forfeiture. The amount of the security and the payment schedule shall be set in rules adopted by the Director of Animal Welfare pursuant to 20 V.S.A. § 3202(e). The security shall be posted within 14 days following the seizure unless the person requests that the security be reduced or waived by the court on the basis of financial hardship. The court shall collect and transfer the security to the Animal Welfare Fund established pursuant to 20 V.S.A. § 3203.

(C) The State shall have the burden of establishing by a preponderance of the evidence that the animal was subjected to cruelty, neglect, or abandonment in violation of section 352 or 352a of this title. The court shall make findings of fact and conclusions of law and shall issue a final order promptly. The findings shall include the total amount of all costs incurred by the custodial caregiver. If the State meets its burden of proof, the court shall order the immediate forfeiture of the animal, and any offspring of the animal that were born while the animal was in custody, in accordance with the provisions of subsection 353(c) of this title.

(D) Notwithstanding subdivision (B) of this subdivision (d)(3), the court may order the animal returned to the petitioner if the court finds by a preponderance of the evidence that the petitioner:

(i) is not the defendant in a cruelty case involving the animal;

(ii) did not participate in or expressly or impliedly consent to the alleged cruel treatment of the animal;

(iii) did not have any express or implied knowledge that the defendant was likely to treat the animal cruelly; and

(iv) will provide adequate care to the animal if it is returned, including any immediately necessary veterinary care or follow-up care needed in connection with the reason for seizure.

(2)(E) Affidavits of law enforcement officers, humane officers, animal control officers, veterinarians, or expert witnesses of either party shall be admissible evidence that may be rebutted by witnesses called by either party. The affidavits shall be delivered to the other party at least five business days

prior to the hearing. Upon request of the other party or the court made at least two business days prior to the hearing, the party offering an affidavit shall make the affiant available by telephone at the hearing. The court may allow any witness to testify ~~by telephone~~ remotely in lieu of a personal appearance and shall adopt rules with respect to such testimony.

~~(3)~~(F) No testimony or other information presented by the defendant in connection with a forfeiture proceeding under this section or any information directly or indirectly derived from such testimony or other information may be used for any purpose, including impeachment and cross-examination, against the defendant in any criminal case, except a prosecution for perjury or giving a false statement.

(G) The rules of evidence shall apply in the forfeiture hearing unless otherwise provided by this section.

(e) If an order of forfeiture is not entered after the hearing, the animal shall be returned to the person claiming an interest in the animal upon payment to the custodial caretaker of all actual costs of care and keeping during the period of impound, including veterinary care, provided that the payment of costs shall not be required if the court finds that there was no reasonable basis for the seizure. If payment of the costs required by this subsection is not made within 14 days after the final order, the custodial caretaker's costs, not to exceed the amount of security posted pursuant to subdivision (d)(3)(B) of this section, shall be reimbursed from the Animal Welfare Fund established pursuant to 20 V.S.A. § 3203.

~~(g)(1)(f)~~ If ~~the defendant is convicted of criminal charges under this chapter or~~ if an order of forfeiture is entered against an owner under this section, the security posted pursuant to this section shall be applied to the actual costs incurred by the custodial caretaker in caring and keeping the animal through the date of forfeiture, including food, boarding, and the cost of any veterinary services. Any excess shall be returned to the person who posted the security. The defendant or owner shall be required to repay all reasonable costs incurred by the custodial caregiver for caring for the animal, including veterinary expenses. The Restitution Unit within the Center for Crime Victim Services is authorized to collect the funds owed by the defendant or owner on behalf of the custodial caregiver or a governmental agency that has contracted or paid for custodial care in the same manner as restitution is collected pursuant to section 7043 of this title. The restitution order shall include the information required under subdivision 7043(e)(2)(A) of this title. ~~The court shall make findings with respect to the total amount of all costs incurred by the custodial caregiver.~~

~~(2)(A) If the defendant is acquitted of criminal charges under this chapter and a civil forfeiture proceeding under this section is not pending, an animal that has been taken into custodial care shall be returned to the defendant unless the State institutes a civil forfeiture proceeding under this section within seven business days of the acquittal.~~

~~(B) If the court rules in favor of the owner in a civil forfeiture proceeding under this section and criminal charges against the owner under this chapter are not pending, an animal that has been taken into custodial care shall be returned to the owner unless the State files criminal charges under this section within seven business days after the entry of final judgment.~~

~~(C) If an animal is returned to a defendant or owner under this subdivision, the defendant or owner shall not be responsible for the costs of caring for the animal.~~

~~(h)(g)(1) A forfeiture order issued under this section may be appealed as a matter of right to the Supreme Court if a notice of appeal is filed within seven days after the order is issued and the appellant posts security pursuant to subdivision (2) of this subsection. The order shall not be stayed pending appeal.~~

~~(2) The appellant shall post security in an amount needed to cover food and necessary veterinary care for the animal for an initial 40-day period from the date that the forfeiture order was issued, with an additional amount equal to the estimated cost of care and keeping of the animal for a subsequent 30-day period due every 30 days thereafter until the owner relinquishes the animal or until final disposition of the case. The amount of the security and the payment schedule shall be set in rules adopted by the Director of Animal Welfare pursuant to 20 V.S.A. § 3202(e). The court shall collect and transfer the security to the Animal Welfare Fund established pursuant to 20 V.S.A. § 3203.~~

~~(i)(h) The provisions of this section are in addition to and not in lieu of the provisions of section 353 of this title.~~

~~(j)(i) It is unlawful for a person to interfere with a humane officer, the Director of Animal Welfare, or the Secretary of Agriculture, Food and Markets engaged in official duties under this chapter. A person who violates this subsection shall be prosecuted under section 3001 of this title.~~

~~(j) The security required by this section may be reduced or waived by the court on the basis of financial hardship to the defendant.~~

~~(k) A humane officer or animal shelter or rescue organization shall be immune from civil or criminal liability for seizing or providing care or treatment to an animal in good faith reliance on the provisions of this section.~~

This subsection shall not apply to gross negligence or intentional misconduct by the humane officer or animal shelter or rescue organization.

(l) This section shall not be construed to limit or infringe upon any other rights or remedies available under common law or any other provision of law or rule.

Sec. 6. 20 V.S.A. § 3202 is amended to read:

§ 3202. ESTABLISHMENT OF DIVISION OF ANIMAL WELFARE;
POWERS AND DUTIES

* * *

(e) The Division of Animal Welfare shall adopt rules pursuant to 3 V.S.A. chapter 25 to:

(1) provide for the receipt and management of security posted in animal forfeiture proceedings and transferred to the Fund by the court pursuant to 13 V.S.A. § 354(d)(3)(B) and 13V.S.A. § 354(g)(2), including the amount of security required; and

(2) make distributions and reimbursements from the Fund for the purposes authorized by 13 V.S.A. § 354, including payment schedules.

Sec. 7. 20 V.S.A. § 3203 is amended to read:

§ 3203. ANIMAL WELFARE FUND

(a) The Animal Welfare Fund is established within the Department of Public Safety to fund the expenses incurred by the Division of Animal Welfare in implementing the requirements of this chapter. The Director of Animal Welfare shall administer the Fund.

(b) The Fund shall consist of:

(1) 67 percent of the revenue collected from the surcharge assessed under subsection 3581(f) of this title; ~~and~~

(2) appropriations made by the General Assembly; and

(3) security posted in animal forfeiture proceedings and transferred to the Fund by the court pursuant to 13 V.S.A. § 354(d)(3)(B) and 13 V.S.A. § 354(g)(2).

(c) All balances in the Fund at the end of the fiscal year shall be carried forward. Interest earned by the Fund shall remain in the Fund.

(d) The Director of Animal Welfare shall have the authority to make distributions and reimbursements from the Fund for the purposes authorized by 13 V.S.A. § 354.

Sec. 8. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 9-0-2)

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)

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommends that the bill ought to pass when amended as recommended by the Committee on Judiciary.

(Committee Vote: 11-0-0)

H. 588

An act relating to professions and occupations regulated by the Office of Professional Regulation

Rep. Nugent of South Burlington, for the Committee on Government Operations and Military Affairs, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * General Powers * * *

Sec. 1. 3 V.S.A. § 123 is amended to read:

§ 123. DUTIES OF OFFICE

(a) The Office shall provide administrative, secretarial, financial, investigatory, inspection, and legal services to the boards. The services provided by the Office shall include:

* * *

(2) Issuing, recording, renewing, and reinstating all licenses as ordered by the boards, an appellate officer, the Director, an administrative law officer, or a court.

(3) ~~Revoking, rescinding,~~ or suspending licenses as ordered by the boards, the Director, an administrative law officer, or a court.

* * *

(14) Adopting rules to establish a program to serve as an alternative to the disciplinary process for regulated professionals with substance use disorders or other professional practice issues as designated by the boards or Director.

* * *

Sec. 2. 3 V.S.A. § 129 is amended to read:

§ 129. POWERS OF BOARDS OR OF DIRECTOR IN ADVISOR PROFESSIONS; DISCIPLINE PROCESS AND RESCISSION PROCESSES

* * *

(j) Hearings involving denials or rescissions of licensure or disciplinary matters concerning persons in professions that have advisor appointees shall be heard by an administrative law officer appointed by the Secretary of State.

* * *

Sec. 3. 3 V.S.A. § 129c is added to read:

§ 129c. RESCISSIONS

(a) The Director may rescind a license issued by the Office of Professional Regulation under the following circumstances:

(1) it is discovered that an administrative mistake has occurred resulting in the erroneous issuance of the license;

(2) payment is not remitted for any licensing fee pursuant to section 125 of this title; and

(3) if, within 30 days after the State either completes a withdrawal from any licensure compact described in Title 26 or other time in which a licensure compact described in Title 26 becomes no longer binding on the State, the licensee does not apply for a license to practice in the State.

(b) The rescission process shall be as set forth in this subsection.

(1) License active for less than 30 days.

(A) If the individual's license has been active for less than 30 days, the Director shall initially rescind the license for any reason enumerated in subsection (a) of this section.

(B) The individual shall be immediately notified of the rescission, the reason for rescission, and procedural rights.

(C) The individual shall be provided an opportunity to have the rescission reviewed by either an administrative law officer or the relevant board. In any review, the Director shall have the burden of proving the rescission is merited. Any review shall commence not later than 20 days after the rescission, and a decision in any review shall be rendered within 30 days following the rescission. The decision shall either reverse the Director's rescission, in which case the license shall be immediately reinstated, or affirm the Director's rescission and be deemed a final decision of the administrative law officer or board.

(D) In the event of an administrative law officer or board affirming the Director's rescission, the individual shall be provided notice and the ability to appeal the Director's rescission in accordance with section 130a of this title; however, the individual shall have the burden of proving the rescission is not merited.

(2) License active for 30 days or more.

(A) If the individual's license has been active for 30 days or more, and the Director determines there is a reason for rescission as enumerated in subsection (a) of this section, the Director shall provide notice to the individual that, after 30 days from issuing the notice, the Director intends to rescind the individual's license. The notice shall also include the reason for rescission and the individual's procedural rights.

(B) The individual shall be provided an opportunity to have a hearing to determine the merits of a rescission. The individual shall have 30 days from when the Director's notice was issued to indicate if the individual elects to have a hearing. In the event the individual either elects not to have a hearing or declines to answer within the allotted 30 days, Director shall rescind the individual's license and the individual shall be foreclosed from appealing the decision pursuant to subdivision (D) of this subdivision (b)(2). In the event the individual elects to have a hearing, any rescission shall be stayed until a hearing decision is rendered.

(C) Any hearing shall be held in accordance with section 129 of this title and the resulting decision shall either affirm or reverse the Director's rescission of the individual license.

(D) In the event of a hearing decision finding that the Director's rescission of the individual's license is merited, the individual shall be provided notice and the ability to appeal the Director's rescission in accordance with section 130a of this title; however, the individual shall have the burden of proving the rescission is not merited.

(c) A rescission of a license shall not be recorded as an adverse action taken against the individual or any other misconduct or unprofessional conduct for purposes of the individual's other currently held licenses or future licensure applications.

(d) Upon becoming aware of the State either withdrawing from any licensure compact described in Title 26 or when a licensure compact described in Title 26 becomes no longer binding on the State, the Office of Professional Regulation shall notify as soon as practicable all affected licensees practicing in the State. An individual's license may not be rescinded if the Office fails to provide the notice.

Sec. 4. 3 V.S.A. § 128 is amended to read:

§ 128. DISCIPLINARY ACTION TO BE REPORTED TO THE OFFICE

(a)(1) Any hospital, clinic, community mental health center, or other health care institution in which a licensee performs professional services shall report to the Office, along with supporting information and evidence, any disciplinary action taken by it or its staff that limits or conditions the licensee's privilege to practice or leads to suspension or expulsion from the institution.

* * *

(3) This section shall ~~not~~ apply to cases of resignation, separation from service, or changes in privileges that are ~~unrelated~~ related to:

- (A) a disciplinary or adverse action;
- (B) an adverse action report to the National Practitioner Data Bank;
- (C) an unexpected adverse outcome in the care or treatment of a patient;
- (D) misconduct or allegations of misconduct;
- (E) the initiation or process of an action to limit, condition, or suspend a licensee's privilege to practice in an institution;
- (F) an action to expel the licensee from an institution; or
- (G) any other action that could lead to an outcome described in subdivisions (A) through (F) of this subdivision (3).

* * *

Sec. 5. 3 V.S.A. § 129a is amended to read:

§ 129a. UNPROFESSIONAL CONDUCT

(a) In addition to any other provision of law, the following conduct by a licensee constitutes unprofessional conduct. When that conduct is by an applicant or person who later becomes an applicant, it may constitute grounds for denial of a license or other disciplinary action. Any one of the following items or any combination of items, whether the conduct at issue was committed within or outside the State, shall constitute unprofessional conduct:

(1) Fraudulent or deceptive procurement or use of a license or attempted fraudulent or deceptive procurement or use of a license by making or causing to be made a false, fraudulent, or forged statement or representation.

* * *

(g) Notwithstanding the provisions of this section or any other law to the contrary, a licensee may, pursuant to rules adopted by the Director, enter into a program serving as an alternative to the disciplinary process for regulated professionals with substance use disorders or other professional practice issues as designated by the boards or Director.

Sec. 6. 3 V.S.A. § 129b is amended to read:

§ 129b. BOARD MEMBER AND ADVISOR APPOINTMENTS

(a) Notwithstanding any provision of law to the contrary relating to terms of office and appointments for members of boards attached to the Office of Professional Regulation, all board members appointed by the Governor shall be the age of majority, appointed for staggered five-year terms, and shall serve at the pleasure of the Governor. Appointments under this section shall not be subject to the advice and consent of the Senate. The Governor may remove any member of a board as provided in section 2004 of this title. Vacancies created other than by expiration of a term shall be filled in the same manner that the initial appointment was made for the unexpired portion of the term. Terms shall begin on January 1 of the year of appointment and run through December 31 of the last year of the term. The Governor may request nominations from any source but shall not be bound to select board members from among the persons nominated. As provided in section 2004 of this title, board members shall hold office and serve until a successor has been appointed.

* * *

Sec. 7. 3 V.S.A. § 137 is amended to read:

§ 137. UNIFORM PROCESS FOR FOREIGN CREDENTIAL VERIFICATION

* * *

(d) The provisions relating to ~~preliminary~~ license denials set forth in subsection 129(e) of this subchapter shall apply to a license application that is ~~preliminarily~~ denied for nonequivalence under this section.

* * * Accountants * * *

Sec. 8. 26 V.S.A. § 13 is amended to read:

§ 13. DEFINITIONS

As used in this chapter:

* * *

(11) “Principal place of business” means the office location designated by the licensee for the purposes of ~~substantial equivalency~~ mobility and reciprocity.

* * *

Sec. 9. 26 V.S.A. § 71a is amended to read:

§ 71a. LICENSE BY EXAMINATION

(a) A license as a “certified public accountant” shall be granted by the Board to any person:

(1) who is of good character;

(2) who completes any one of the following requirements for education and experience:

(A) a post-baccalaureate degree from a college or university recognized by the Board with a concentration in accounting or an equivalent and one year of experience in public accounting, meeting the requirements prescribed by Board rule;

(B) 150 or more semester hours of college credit at a college or university recognized by the Board, including a baccalaureate degree and a minimum of 42 semester hours of accounting, auditing, and related subjects as the Board determines to be appropriate, and one year of experience in public accounting, meeting the requirements prescribed by Board rule ~~or other experience or employment that the Board in its discretion considers substantially equivalent; and or~~

(C) a baccalaureate degree from a college or university recognized by the Board with a concentration in accounting or an equivalent and two years of experience in public accounting, meeting the requirements prescribed by Board rule; and

(3) who has passed the examination required under subsection (b) of this section.

(b) The Board shall administer an examination using a nationally recognized uniform certified public accountants' examination and advisory grading service.

(c) An applicant who has not yet completed a baccalaureate degree may sit for the exam upon the completion of 120 semester hours at an institution recognized by the Board, including a minimum of 30 semester hours of accounting, auditing, and related subjects as the Board determines to be appropriate.

Sec. 10. 26 V.S.A. § 74c is amended to read:

§ 74c. SUBSTANTIAL EQUIVALENCY MOBILITY

(a) An individual whose principal place of business is not in this State shall ~~be presumed to have qualifications substantially equivalent to this State's requirements and shall~~ have the privileges of licensure of this State, without the need to obtain a license under section 72b of this title, if the individual:

(1) holds a valid license as a certified public accountant from a any state ~~the Board determines has licensure requirements substantially equivalent to the requirements of the AICPA/NASBA Uniform Accountancy Act; or and~~

~~(2) holds a valid license as a certified public accountant from any state, and the individual obtains verification from the NASBA National Qualification Appraisal Service that the individual's qualifications are substantially equivalent to the licensure requirements of the AICPA/NASBA Uniform Accountancy Act. An individual who passed the uniform CPA examination and holds a valid license issued by any state prior to January 1, 2012 shall be exempt from the education requirements of subdivision 5(c)(2) of the Uniform Accountancy Act for purposes of this section.~~ has passed the uniform CPA examination and has met any one of the following requirements for education and experience in accordance with rules adopted by the Board:

(A) a post-baccalaureate degree from a college or university with a concentration in accounting or an equivalent and one year of experience in public accounting;

(B) 150 or more semester hours of college credit at a college or university, including a baccalaureate degree and a minimum of 42 semester hours of accounting, auditing, and related subjects, and one year of experience in public accounting; or

(C) a baccalaureate degree from a college or university with a concentration in accounting or an equivalent and two years of experience in public accounting.

* * *

(g) An individual whose principal place of business is not in this State, who holds a valid active license as a certified public accountant from any state, and who, as of December 31, 2024, had practice privileges in this State under this section shall continue to have all the privileges of licensees in this State without the need to obtain a license under section 71a of this title, pursuant to all other requirements of this chapter.

* * * Dentists * * *

Sec. 11. 26 V.S.A. § 603 is added to read:

§ 603. LIMITED ACADEMIC DENTIST LICENSE

(a) Scope of dentist practice. A limited academic dentist license is a credential that authorizes the practice of dentistry only:

(1) at a teaching facility operated by a dental program that is accredited by the American Dental Association's Commission on Dental Accreditation to grant doctoral degrees in dental medicine or dental surgery; and

(2) under the general supervision of a dentist who is fully licensed in good standing.

(b) Eligibility. To qualify for a limited academic dentist license, an applicant must:

(1) be appointed as a full-time dental instructor of an accredited dental program;

(2) hold a dental degree sufficient for licensure by examination under section 601 of this title; and

(3) complete any courses in emergency office procedures or cardiopulmonary resuscitation required for a licensed dentist.

(c) Specialties unavailable. A limited academic dentist license holder who is not otherwise licensed as a dentist in this State is ineligible for sedation and general anesthesia specialties.

(d) Notification of termination required. A limited academic dentist license holder must notify the Office within 48 hours after any termination as a full-time dental instructor. Continued practice after termination constitutes unauthorized practice under 3 V.S.A. § 127.

(e) Renewal. For license renewal, a limited academic dentist license holder must:

(1) meet all renewal requirements set forth in subsections 661(a)–(d) for a licensed dentist, except no fee is required; and

(2) continue to be a full-time dental instructor of an accredited dental program.

Sec. 12. 26 V.S.A. § 662 is amended to read:

§ 662. FEES

(a) Applicants and persons regulated under this chapter shall pay the following fees:

(1) Application

(A) Dentist \$285.00

(B) Limited academic dentist \$0.00

~~(C)~~ Dental therapist \$215.00

~~(C)~~~~(D)~~ Dental hygienist \$200.00

~~(D)~~~~(E)~~ Dental assistant \$80.00

(2) Biennial renewal

(A) Dentist \$655.00

(B) Limited academic dentist \$0.00

~~(C)~~ Dental therapist \$310.00

~~(C)~~~~(D)~~ Dental hygienist \$245.00

~~(D)~~~~(E)~~ Dental assistant \$105.00

(b) The licensing fee for a dentist, dental therapist, or dental hygienist or the registration fee for a dental assistant who is otherwise eligible for licensure or registration and whose practice in this State will be limited to providing pro bono services at a free or reduced-fee clinic or similar setting approved by the Board shall be waived.

* * * Funeral Services * * *

Sec. 13. 26 V.S.A. § 1211 is amended to read:

§ 1211. DEFINITIONS

(a) As used in this chapter, unless a contrary meaning is required by the context:

* * *

(6) "Practice of funeral service" means arranging, directing, or providing for the care, preparation, or disposition of dead human bodies for a fee or other compensation. This includes:

(A) meeting with the public to select a method of disposition or funeral observance and merchandise;

(B) entering into contracts, either at-need or pre-need, for the provision of dispositions, funeral observances, and merchandise;

(C) arranging, directing, or performing the removal or transportation of a dead human body;

(D) securing or filing certificates, permits, forms, or other documents;

(E) supervising or arranging a funeral, memorial, viewing, or graveside observance; ~~and~~

(F) holding oneself out to be a licensed funeral director by using the words or terms "funeral director," "mortician," "undertaker," or any other words, terms, title, or picture that, when considered in context, would imply that such person is engaged in the practice of funeral service or is a licensed funeral director; and

(G) providing for the disposition of dead human bodies by cremation, alkaline hydrolysis, or natural organic reduction.

* * *

(c) Notwithstanding this section, owners of a disposition facility and their personnel may engage in the listed activities in subdivision (a)(6) of this section only to the extent such functions are necessary to the performance of their duties. Specifically, personnel at a disposition facility may:

(1) provide for the disposition of dead human bodies by cremation, alkaline hydrolysis, or natural organic reduction and meet with the public to arrange ~~and provide~~ for the disposition;

(2) enter into contracts, without taking prepaid funds, for the ~~provision of dispositions~~ disposition by cremation, alkaline hydrolysis, or natural organic reduction;

(3) arrange, direct, or perform the removal or transportation of a dead human body, provided that removals are performed by licensed removal personnel; and

(4) secure and file certificates, permits, forms, or other documents.

* * * Nursing; Advanced Practice Registered Nurses * * *

Sec. 14. 26 V.S.A. § 1614 is amended to read:

§ 1614. APRN RENEWAL

An APRN license renewal application shall include:

(1) documentation of ~~completion of the APRN practice requirement;~~

~~(2) possession of a current certification by a national APRN specialty certifying organization; and~~

~~(3)~~(2) a current collaborative provider agreement if required for transition to practice.

* * * Psychologists * * *

Sec. 15. TEMPORARY PSYCHOLOGIST LICENSURE EDUCATIONAL SUPPLEMENTATION

(a) Notwithstanding the provisions of 26 V.S.A. chapter 55, 3 V.S.A. chapter 25, or any contrary rule, the Director of the Office of Professional Regulation may develop and implement temporary policies permitting supplementation of a master's or doctoral degree, pursuant to 26 V.S.A. § 3011a(a)(2), for the licensing of psychologists.

(b) Policies adopted pursuant to this section shall be:

(1) developed in consultation with the Board of Psychological Examiners and the Vermont Psychological Association;

(2) consistent with 26 V.S.A. chapter 57; and

(3) made available to the public.

(c) The Director's powers granted pursuant to this section and any temporary policies adopted pursuant to this section shall be in effect only until either July 1, 2029, or when the Board of Psychological Examiners adopts permanent rules regarding supplementation of a master's or doctoral degree, pursuant to 26 V.S.A. § 3011a(a)(2), for the licensing of psychologists, whichever occurs first.

(d) On or before July 1, 2029, the Board shall adopt updated rules regarding the supplementation of a master's or doctoral degree, pursuant to 26 V.S.A. § 3011a(a)(2), for the licensing of psychologists.

* * * Midwives * * *

Sec. 16. 26 V.S.A. chapter 85 is amended to read:

CHAPTER 85. MIDWIVES

* * *

§ 4185. DIRECTOR; DUTIES

* * *

~~(e)(1) The Director shall appoint an advisory committee to study and report to the Director and to the Commissioner of Health on matters relating to midwifery, including recommendations if necessary for revisions to the administrative rules. The Committee shall focus on improving communication and collaboration among birth providers.~~

~~(2) The Committee shall be composed of at least six members: three midwives licensed under this chapter, two physicians licensed by the Board of Medical Practice or the Board of Osteopathic Physicians and Surgeons, and one advanced practice registered nurse midwife licensed by the Board of Nursing.~~

~~(3) Members of the Committee shall be entitled to compensation at the rate provided in 32 V.S.A. § 1010.~~

* * *

§ 4187. RENEWALS

~~(a)(1) Biennially, the Director shall forward a renewal form to each licensed midwife. A license shall be renewed every two years upon the filing of a renewal application, payment of the required fee, and proof of compliance with renewal requirements. The completed form renewal application shall include verification that during the preceding two years, the licensed midwife has:~~

~~(A) completed 20 hours of continuing education approved by the Director by rule;~~

~~(B) participated in at least four peer reviews;~~

~~(C) submitted individual practice data;~~

~~(D) maintained current cardiopulmonary resuscitation certification;~~

~~and~~

~~(E)(D) filed a timely certificate of birth for each birth at which he or she the licensee was the attending midwife, as required by law; and~~

(E) maintained current certification by the North American Registry of Midwives.

(2) Upon receipt of the completed form and of the renewal fee, the Director shall issue a renewal license to applicants who qualify under this section.

(b) The Director shall renew a license that has lapsed for a period of three years or less upon receipt of the renewal fee and late renewal penalty, the reinstatement fee, and an application for renewal that shows that the person still meets the eligibility requirements of this chapter and that all the requirements for renewal, including continuing education, have been satisfied. A person shall not be required to pay renewal fees for lapsed years.

(c) The Director may adopt rules to assure that an applicant whose license has lapsed for a period greater than three years may be eligible for licensing, but such rules shall not establish requirements greater than the eligibility requirements of this chapter.

(d) The Director may, as a condition of license renewal, require that licensed midwives submit individual practice data to the Office or its designee. The required data may include information such as client demographics, complications of labor and delivery, breastfeeding and postpartum health, and such other information as the Director may require.

* * * Speech-Language Pathologist Assistants; Sunrise Report * * *

Sec. 17. OFFICE OF PROFESSIONAL REGULATION; SUNRISE REVIEW
REPORT; SPEECH-LANGUAGE PATHOLOGIST ASSISTANTS

On or before November 15, 2026, the Office of Professional Regulation, in consultation with interested stakeholders, shall submit to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations a written report, in accordance with 26 V.S.A. chapter 57, on the advised nature of regulation and suggested level of credentialling for speech-language pathologist assistants practicing in the State.

* * * Massage Therapists, Bodyworkers, and Touch Professionals * * *

Sec. 18. 26 V.S.A. chapter 105 is amended to read:

CHAPTER 105. MASSAGE THERAPISTS, BODYWORKERS, AND
TOUCH PROFESSIONALS

Subchapter 1. General Provisions

§ 5401. DEFINITIONS

As used in this chapter:

* * *

(2)(A) “Establishment” means any ~~place of business that~~ location:

~~(i)(A) offers the practice of massage or the practice of bodywork or where the practice of massage or the practice of bodywork is conducted on the premises of the business where the practice of massage or the practice of bodywork is regularly engaged in; or~~

~~(ii)(B) that represents itself to the public by any title or description of services incorporating the words “touch professional,” “bodywork,” “massage,” “massage therapy,” “massage therapist,” “massage practitioner,” “massagist,” “masseur,” “masseuse,” “energy work,” or other words identified by the Director in rules.~~

~~(B) A “place of business” includes any office, clinic, facility, salon, spa, or other location not otherwise exempted under section 5404 of this chapter where a person or persons engage in the practice of massage or the practice of bodywork.~~

* * *

§ 5403. UNAUTHORIZED PRACTICE

Any individual who owns or operates an unregistered establishment or who engages in the practice of massage or the practice of bodywork without a registration from the Office shall be subject to the penalties provided in 3 V.S.A. § 127 (~~unauthorized practice~~).

§ 5404. EXEMPTIONS

* * *

(c) Nothing in this chapter shall prohibit a massage therapist, bodyworker, or touch professional from engaging in or offering the practice of massage or the practice of bodywork at a location that is not ~~an~~ a registered establishment, if:

~~(1) so long as prior to engaging in that practice at that location, the registrant massage therapist and his or her the client agree in advance that the location is acceptable; and~~

~~(2) the location is not an establishment as defined in subdivision 5401(2) of this title.~~

(d) Establishment registration is not required for a location where the practice of massage or the practice of bodywork is provided solely by:

(1) persons exempt from registration; or

(2) a single massage therapist, bodyworker, or touch professional.

* * *

§ 5411. DUTIES OF THE DIRECTOR

* * *

(b) Rules.

(1) The Director shall adopt rules requiring a massage therapist, bodyworker, or touch professional to disclose to each new client before the first treatment the following information:

(A) the professional qualifications and experience of the registrant;

(B) actions that constitute unprofessional conduct;

(C) the method for filing a complaint against a registrant; and

(D) the method for making a consumer inquiry with the Office.

(2) The Director shall adopt rules regarding the display of:

(A) the registrations of employed or contracted massage therapists, bodyworkers, or touch professionals at an establishment; and

(B) information regarding unprofessional conduct and filing complaints with the Office.

(3) The rules described in this subsection shall include provisions relating to the manner in which the information disclosed shall be distributed or displayed and a requirement that a massage therapist, bodyworker, or touch professional and ~~his or her~~ the client sign an acknowledgement that the information was disclosed.

(4) The Director may adopt other rules as necessary to perform ~~his or her~~ the Director's duties under this chapter.

(5) The Director may adopt rules limiting the applicability of this chapter as applied to establishments operated within private homes.

* * *

§ 5423. ESTABLISHMENTS; DESIGNEE AND INSPECTION

(a) An establishment shall ~~designate a massage therapist, bodyworker, or touch professional to be responsible for ensuring the establishment complies~~

with the requirements of this chapter and the rules adopted by the Director register with the Office of Professional Regulation. The operation of an establishment without registration shall constitute unauthorized practice under 3 V.S.A. § 127.

(b) An establishment is responsible for ensuring its lawful operation, regardless of whether the establishment's owner is on-site or has personal knowledge of its operations. The Office may prosecute an establishment for unprofessional conduct or unauthorized practice occurring at the establishment.

(c) The Director may require that an application for establishment registration include:

- (1) the management and ownership of the business;
- (2) the name, location, and licensing history of any past or present massage establishment under the same management or ownership;
- (3) the location and ownership of the establishment's premises;
- (4) proof of business registration with the Secretary of State; and
- (5) other information required by the Director in rule.

(d) The Director may deny an establishment registration of a location where unprofessional conduct, as defined in subdivision 5427(2) or (3) of this title, has previously occurred, even if under different ownership or management. A denial on this basis shall follow the same procedures as a denial for unprofessional conduct under 3 V.S.A. § 129.

(e) A person authorized by the Director may enter any establishment for the purpose of inspection when a complaint has been filed with the Office regarding the practice of massage or the practice of bodywork at that establishment. The Director may require an establishment to undergo inspection prior to registration. A fee shall not be charged for any inspection under this subsection.

* * *

§ 5426. DISPLAY OF REGISTRATION

A massage therapist, bodyworker, or touch professional shall conspicuously display his or her registration in any establishment where the registrant is engaged in the practice of massage or the practice of bodywork. An establishment must conspicuously display the registrations of:

(1) the establishment; and

(2) any massage therapist, bodyworker, or touch professional engaged in the practice of massage or the practice of bodywork in the establishment.

§ 5427. UNPROFESSIONAL CONDUCT

Unprofessional conduct means the conduct set forth in 3 V.S.A. § 129a and the following:

(1) engaging in activities in violation of 13 V.S.A. § 2605 (voyeurism);

(2) engaging ~~in a sexual act~~ with a client in sexual conduct as defined in 13 V.S.A. § 2821:

(A) at an establishment; or

(B) while engaging in, offering to engage in, or purporting to engage in the practice of massage or the practice of bodywork;

(3) meeting a client at an establishment for the purpose of sexual conduct;

~~(3)~~(4) conviction of a crime committed while engaged in the practice of massage or the practice of bodywork;

~~(4)~~(5) performing massage or bodywork that the massage therapist, bodyworker, or touch professional knows or has reason to know has not been authorized by a client or the client's legal representative; ~~and~~

~~(5)~~(6) engaging in conduct of a character likely to deceive, defraud, or harm the public; and

(7) engaging in the practice of massage or the practice of bodywork at an unregistered establishment.

Sec. 19. 13 V.S.A. § 2638 is amended to read:

§ 2638. IMMUNITY FROM LIABILITY

(a) As used in this section:

(1) "Human trafficking" has the same meaning as in section 2651 of this title.

(2) "Prostitution" has the same meaning as in section 2631 of this title.

(b) A person who, in good faith and in a timely manner, reports to law enforcement that the person is a victim of or a witness to a crime that arose from the person's involvement in prostitution or human trafficking shall not be cited, arrested, or prosecuted for a violation of the following offenses:

- (1) section 2632 of this title (prostitution);
- (2) section 2601a of this title (prohibited conduct);
- (3) 18 V.S.A. § 4230(a)(1)–(3) (cannabis possession);
- (4) 18 V.S.A. § 4231(a)(1) and (2) (cocaine possession);
- (5) 18 V.S.A. § 4232(a)(1) and (2) (LSD possession);
- (6) 18 V.S.A. § 4233(a)(1) and (2) (heroin possession);
- (7) 18 V.S.A. § 4234(a)(1) and (2) (depressant, stimulant, and narcotic drugs possession);
- (8) 18 V.S.A. § 4234a(a)(1) and (2) (methamphetamine possession);
- (9) 18 V.S.A. § 4235(b)(1) (hallucinogenic drugs possession); ~~and~~
- (10) 18 V.S.A. § 4235a(a)(1) (Ecstasy possession); and
- (11) 26 V.S.A. § 5403 (unauthorized practice of massage or bodywork).

* * *

* * * Effective Dates * * *

Sec. 20. EFFECTIVE DATES

(a) This section, Secs. 1–10 (general powers, accountants), Secs. 13–17 (funeral services, advanced practice registered nurses, psychologists, midwives, speech-language pathologist assistants report) shall take effect on passage.

(b) Secs. 11 and 12 (dentists) shall take effect on September 1, 2026.

(c) Sec. 18 (massage therapists, bodyworkers, and touch professionals) and Sec. 19 (13 V.S.A. § 2638) shall take effect on December 1, 2026.

(Committee Vote: 10-0-1)

Rep. Branagan of Georgia, for the Committee on Ways and Means, recommends that the report of the Committee on Government Operations and Military Affairs be amended as follows:

First: In Sec. 18, 26 V.S.A. chapter 105, preceding section 5426 (display of registration), by adding the following:

§ 5425. FEES

(a) Applicants and persons regulated under this chapter shall pay those fees set forth in 3 V.S.A. § 125(b).

(b) An establishment where the practice of massage or the practice of bodywork is provided by only two massage therapists, bodyworkers, or touch professionals shall pay reduced fees set forth in 3 V.S.A. § 125(b).

Second: By adding a new section to be Sec. 18a to read as follows:

Sec. 18a. 3 V.S.A. § 125 is amended to read:

§ 125. FEES

* * *

(b) Unless otherwise provided by law, the following fees shall apply to all professions regulated by the Director in consultation with advisor appointees under Title 26:

(1) Application for registration, \$100.00, except application for:

* * *

(D) Massage therapist, bodyworker, or touch professional, \$90.00.

(E) Massage establishment qualifying for a reduced fee under 26 V.S.A. § 5425(b), \$50.00.

(2) Application for licensure or certification, \$115.00, except application for:

* * *

~~(M) Massage therapist, bodyworker, or touch professional, \$90.00.~~
[Repealed.]

* * *

(4) Biennial renewal, \$275.00, except biennial renewal for:

* * *

(Y) Massage establishment qualifying for a reduced fee under 26 V.S.A. § 5425(b), \$75.00.

(5) Limited temporary license or work permit, \$60.00.

(6) Radiologic evaluation, \$125.00.

(7) Annual renewal for appraisal management company registration, \$345.00.

(8) Real estate appraiser trainee, \$115.00.

(9) Apprenticeship application, \$50.00.

(10) Specialty or endorsement to existing license application, \$100.00.

(11) Disciplinary action surcharge, \$250.00.

* * *

Third: In Sec. 20, effective dates, subsection (a), preceding “shall take effect on passage” by adding “, 18a (3 V.S.A. § 125)”

(Committee Vote: 9-0-2)

H. 686

An act relating to expanding identification of certain lobbying advertisements

Rep. Boyden of Cambridge, for the Committee on Government Operations and Military Affairs, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 2 V.S.A. § 261 is amended to read:

§ 261. DEFINITIONS

As used in this chapter:

* * *

(9) “Lobby” or “lobbying” means:

(A) to communicate ~~orally or in writing~~ with any legislator or administrative official for the purpose of influencing legislative or administrative action;

(B) solicitation of others to influence legislative or administrative action;

(C) an attempt to obtain the goodwill of a legislator or administrative official by communications or activities with that legislator or administrative official intended ultimately to influence legislative or administrative action; or

(D) activities sponsored by an employer or lobbyist on behalf of or for the benefit of the members of an interest group, if a principal purpose of the activity is to enable such members to communicate ~~orally~~ with one or more legislators or administrative officials for the purpose of influencing legislative or administrative action or to obtain their goodwill.

* * *

Sec. 2. 2 V.S.A. § 264c is amended to read:

§ 264c. IDENTIFICATION IN AND REPORT OF CERTAIN LOBBYING
ADVERTISEMENTS

(a) Identification.

(1) An advertisement that is intended, designed, or calculated to influence legislative action or to solicit others to influence legislative action and that is made at any time ~~prior to final adjournment of a biennial or adjourned legislative session~~ shall contain the name of any lobbyist, lobbying firm, or lobbyist employer that made an expenditure for the advertisement and language that the advertisement was paid for, or paid in part, by the lobbyist, lobbying firm, or lobbyist employer; provided, however:

* * *

(c) Definitions. As used in this section:

(1) “Advertisement” means a notice or communication that:

(A) ~~appears in any of the following public media:~~ including radio, television, newspapers ~~or~~ and other periodicals, or ~~internet websites; or~~

(B) is widely disseminated to the public, including mass mailings, robotic phone calls, and paid internet communications.

(2) “Advertising campaign” means advertisements substantially similar in nature, regardless of the media in which they are placed.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 11-0-0)

H. 740

An act relating to the greenhouse gas inventory and registry

Rep. James of Manchester, for the Committee on Energy and Digital Infrastructure, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 10 V.S.A. § 582 is amended to read:

§ 582. GREENHOUSE GAS INVENTORIES; REGISTRY

* * *

(e) Rules.

(1) The Secretary may adopt rules to implement the provisions of this section and shall review existing and proposed international, federal, and State greenhouse gas emission reporting programs and make reasonable efforts to promote consistency among the programs established pursuant to this section and other programs, and to streamline reporting requirements on greenhouse gas emission sources. Except as provided in subsection (g) of this section, nothing in this section shall limit a State agency from adopting any rule within its authority.

(2) The Secretary has authority to adopt rules that create a comprehensive greenhouse gas emission reporting program that covers all sources of emissions, including fuel suppliers. Suppliers of transportation and heating fuels covered by the rules shall comply with requests from the Secretary for information. The Secretary shall adopt a rule that at a minimum includes the types and volume of fossil fuels sold by sector for the transportation, residential, commercial, and industrial sectors and by zip code, municipality, or the smallest geographic level practicable.

* * *

Sec. 2. RULEMAKING

On or before July 1, 2027, the Secretary of Natural Resources shall adopt final rules for greenhouse gas reporting as required under 10 V.S.A. § 582(e)(2).

Sec. 3. APPROPRIATION AND POSITIONS

(a) Funding. In addition to other funds appropriated to the Agency of Natural Resources, the sum of \$500,000.00 shall be appropriated from the General Fund as a base appropriation, which will be used to draft the greenhouse gas emission reporting rules, to develop a greenhouse gas emission source database, and to support staff and on-going efforts required to implement emission source data collection.

(b) Positions. In fiscal year 2027, the establishment of two new permanent classified Environmental Analyst V positions in the Agency of Natural Resources is authorized.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 6-3-0)

H. 744

An act relating to procedures for arrest without a warrant

Rep. LaLonde of South Burlington, 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. Rule 3 of the Vermont Rules of Criminal Procedure is amended to read:

Rule 3. Arrest Without Warrant; Citation to Appear

* * *

(k) Temporary Release. A law enforcement officer arresting a person shall contact a judicial officer for determination of temporary release pursuant to Rule 5(b) of these rules without unnecessary delay. The law enforcement officer shall provide the judicial officer with an affidavit or sworn statement as required by Rule 4(a) of these rules, and information upon which the determination as to temporary release may be made. ~~The affidavit or sworn statement must indicate the crimes to be charged by the arresting officer. The procedures and standards established by the Presiding Judge of each unit pursuant to Rule 5(b) may require that the affidavit or sworn statement include the charge or charges that the prosecuting attorney intends to file and may require that the affidavit also include any conditions of release, including bail or an order to hold without bail, that the prosecuting attorney is requesting.~~

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 2, 2026.

and that after passage the title of the bill be amended to read: “An act relating to procedures for release after arrest”

(Committee Vote: 11-0-0)

H. 762

An act relating to the County and Regional Governance Study Committee

Rep. Birong of Vergennes, for the Committee on Government Operations and Military Affairs, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 2024 Acts and Resolves No. 118, Sec. 1 is amended to read:

Sec. 1. COUNTY AND REGIONAL GOVERNANCE STUDY
COMMITTEE; REPORT

(a) Legislative intent and ~~Creation~~ creation of Committee.

(1) Legislative intent. It is the intent of the General Assembly that existing direct coordination and communication between the State and Vermont municipalities should be retained or strengthened. County or regional governance should enhance the work of local and State governments and not become a procedural barrier between the State and municipalities.

(2) Creation of Committee. There is created the County and Regional Governance Study Committee to address local government capacity challenges, enhance and optimize public safety, regional collaboration and planning, efficient, equitable, and transparent public resource allocation, and effective regional public services for individuals and municipalities.

(b) Membership. The Committee shall be, to the extent possible, composed of members from geographically diverse regions of the State. The Committee shall elect its chair from among its members. The Committee shall be composed of the following members:

(1) three current members of the House of Representatives, who shall not all be from the same political party, ~~the first of whom shall be the Chair of the House Committee on Government Operations and Military Affairs,~~ and the second and third of whom shall be appointed by the Speaker of the House; and

(2) three current members of the Senate, who shall not all be from the same political party, ~~the first of whom shall be the Chair of the Senate Committee on Government Operations,~~ and the second and third of whom shall be appointed by the Committee on Committees.

(c) Powers and duties.

(1) The Committee shall study and make recommendations to the General Assembly on how to improve the structure and organization of county and regional government, including:

(A) enhancement coordination and optimization of public safety services regional government provided by State, regional, and local agencies, including for public safety, emergency management, and public health purposes;

(B) enhancement of regional collaboration and planning and implementation;

(C) coordination, increased transparency, potential efficiencies, and service improvements of nongovernmental agencies providing regional public services, including but not limited to designated mental health agencies and public transit providers;

~~(D)~~ efficient, equitable, and transparent allocation of public resources;

~~(D)~~~~(E)~~ promotion of effective regional public services for individuals and municipalities;

~~(E)~~~~(F)~~ ~~clarification of~~ review the role and ~~oversight~~ authority of elected county officials and their departments;

~~(F)~~~~(G)~~ reduction of duplicated or conflicting public services and promotion of opportunities for intermunicipal collaboration;

~~(G)~~~~(H)~~ balance of availability and cost of services across municipalities in each county;

~~(H)~~~~(I)~~ review of mechanisms of county and regional government structures in other states; ~~and~~

~~(I)~~~~(J)~~ impact of climate change and resiliency on the maintenance of public infrastructure, delivery of regional government services, and coordination of regional emergency planning; and

~~(K)~~ the role of Department of Public Safety and Vermont Emergency Management in responding to all hazards events.

* * *

(e) Report. On or before ~~November 1, 2025~~ December 15, 2026, the Committee shall report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations with its findings and any recommendations for legislative action.

(f) Meetings.

* * *

(4) The Committee shall cease to exist on July 1, ~~2026~~ 2028.

* * *

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 10-0-1)

H. 849

An act relating to a civil action for damages for interference with State or federal constitutional rights by any government official

Rep. LaLonde of South Burlington, 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. 12 V.S.A. chapter 205 is added to read:

CHAPTER 205. DEPRIVATION OF CONSTITUTIONAL RIGHTS

§ 5797. CIVIL ACTION

(a) Every person who, under color of any statute, ordinance, regulation, custom, or usage, subjects or causes to be subjected any citizen of the State of Vermont or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution of the United States shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in the officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable.

(b) For purposes of this section, "color of any statute, ordinance, regulation, custom, or usage" includes color of any statute, ordinance, regulation, custom, or usage of the United States and of any U.S. state or territory or the District of Columbia.

(c) Any defense available to a defendant under 42 U.S.C. § 1983 is likewise and to the same extent available to any defendant in an action brought under subsection (a) of this section. This subsection does not alter, amend, create, or support a qualified or absolute immunity defense in any other action or proceeding brought under any other provision of Vermont law.

(d) It is the intent of the General Assembly that, in construing this section, the courts of this State will be guided by the construction of 42 U.S.C. § 1983, as amended, as interpreted by the courts of the United States.

Sec. 2. 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 a civil action for damages for deprivation of federal constitutional rights by any government official"

(Committee Vote: 6-5-0)

Favorable

H. 915

An act relating to establishing an extended producer responsibility program for beverage containers

(Rep. Morris of Springfield will speak for the Committee on Environment.)

Rep. Burkhardt of South Burlington, for the Committee on Ways and Means, recommends that the bill ought to pass.

(Committee Vote: 9-1-1)

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.