

# House Calendar

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Wednesday, March 11, 2026

65th DAY OF THE ADJOURNED SESSION

House Convenes at 3:30 P.M.

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**ORDERS OF THE DAY**

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**ACTION CALENDAR**

**Action Postponed Until Wednesday, March 11, 2026**

**Third Reading**

**H. 205**

An act relating to agreements not to compete

**Amendment to be offered by Reps. Headrick of Burlington, Casey of Montpelier, Harple of Glover, and McCann of Montpelier to H. 205:**

First: In Sec. 2, 21 V.S.A. § 495q, by striking out subdivision (b)(1)(B) in its entirety and inserting in lieu thereof a new subdivision (b)(1)(B) to read as follows:

(B) “Agreement not to compete” does not include:

(i) an agreement that prohibits the disclosure of trade secrets as defined in 9 V.S.A. § 4601 or a nondisclosure agreement that protects confidential business information that does not constitute a trade secret; or

(ii) a nonsolicitation agreement between an employer and an employee, provided that the limitations set forth in the agreement are reasonable in time, geographical area, and the scope of activity to be restrained.

Second: By adding a new section to be Sec. 3a to read as follows:

Sec. 3a. 16 V.S.A. § 1752 is amended to read:

§ 1752. GROUNDS AND PROCEDURES FOR SUSPENSION AND  
DISMISSAL

(a) ~~A teacher under contract to teach in a public school who fails, without just cause, to complete the term for which the teacher contracted to teach shall be disqualified to teach in any public school for the remainder of the school year. [Repealed.]~~

\* \* \*

Third: By striking out Sec. 4, effective date, in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. EFFECTIVE DATES

- (a) This section and Secs. 2 and 3 shall take effect on passage.
- (b) Sec. 3a shall take effect on January 1, 2027.

**H. 512**

An act relating to the regulation of the event ticketing market

**Amendment to be offered by Rep. Donahue of Northfield to H. 512:**

First: In Sec. 1, 9 V.S.A. chapter 63, subchapter 2B, in section 2479f, by striking out subdivision (a)(3) in its entirety and inserting in lieu thereof a new subdivision (3) to read as follows:

(3) “Reseller” means a person engaged in the resale of tickets, except that “reseller” does not include an individual reselling a ticket purchased for personal use for a single event.

Second: In Sec. 1, 9 V.S.A. chapter 63, subchapter 2B, in section 2479f, by striking out subdivision (c)(3) in its entirety and inserting in lieu thereof a new subdivision (3) to read as follows:

(3) This subsection shall not apply to the resale of a ticket under a written contract with the ticket issuer for the resale of tickets at a price greater than 110 percent of the price of the original ticket if the written contract is executed prior to July 1, 2026.

**New Business**

**Third Reading**

**H. 582**

An act relating to adult protective services

**H. 635**

An act relating to eliminating Department of Corrections supervisory fees

**Favorable with Amendment**

**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(c) 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. 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. 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)**

## NOTICE CALENDAR

### Favorable with Amendment

#### H. 753

An act relating to utility service disconnections and ratepayer protections

**Rep. Torre of Moretown**, 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. SHORT TITLE

This act may be cited as the “Vermont Energy Equity Law.”

## Sec. 2. UTILITY DISCONNECTIONS; REPORT

For the purpose of providing policymakers with the data necessary for monitoring and responding to trends in the residential electric and gas sectors, particularly with respect to safeguarding the welfare of ratepayers, the Commissioner of Public Service shall conduct an annual assessment of involuntary residential service disconnections. The assessment shall take into consideration the monthly disconnection reports prepared by electric and gas utilities pursuant to Public Utility Commission, Disconnection of Residential

Gas, Electric, and Water Service (CVR 30-000-3300), Rule 3.308(B); relevant consumer assistance records maintained by the Consumer Affairs and Public Information Division; and any other data deemed appropriate by the Commissioner. The Commissioner shall report findings and recommendations related to the assessment to the House Committee on Energy and Digital Infrastructure and the Senate Committee on Finance on or before January 15, 2027, and annually thereafter. The report required by this section may be included in the Department's Annual Energy Report to the General Assembly or may be submitted in a standalone report, in the Commissioner's discretion.

### Sec. 3. UTILITY SERVICE DISCONNECTIONS; RULEMAKING

On or before January 1, 2028, or upon the initiation of any rulemaking pertaining to Public Utility Commission, Disconnection of Residential Gas, Electric, and Water Service (CVR 30-000-3300), Rule 3.300, whichever occurs first, the Public Utility Commission shall adopt rules that:

(1) curtail electric utility service disconnections during periods of extreme heat, as defined by the Commission, which may include a lower temperature threshold for households comprising persons who are 62 years of age or older;

(2) clarify that, in Rule 3.301(G), a licensed physician assistant or a nurse practitioner may issue a physician's certificate; and

(3) require due consideration of medical judgment regarding the duration of a health hazard indicated in a physician's certificate when establishing the disconnection protection period for a health hazard.

### Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

**(Committee Vote: 9-0-0)**

## H. 814

An act relating to neurological rights and the use of artificial intelligence technology in health and human services

**Rep. Cina of Burlington**, 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. INTENT

It is the intent of the General Assembly to:

(1) protect human rights, promote equity, increase efficiency, enhance accessibility, create transparency, and guarantee accountability in health care and human services through the ethical and responsible use of artificial intelligence technology;

(2) maximize the benefits and minimize the risks of the use of artificial intelligence in health care and human services;

(3) promote the ethical and responsible use of augmented intelligence in service delivery, coverage determinations, and access to health care and human services;

(4) prevent harm from the use of augmented and other artificial intelligence in health care and human services;

(5) improve the experience of patients, providers, and payers through the use of augmented and other artificial intelligence; and

(6) improve quality of care, drive positive health outcomes, and cultivate population health through the use of augmented and other artificial intelligence.

Sec. 2. 18 V.S.A. chapter 42C is added to read:

#### CHAPTER 42C. NEUROLOGICAL RIGHTS

##### § 1891. PURPOSE; INDIVIDUAL RIGHTS

The State of Vermont recognizes that each individual has the right to:

(1) mental and neural data privacy;

(2) the freedom of thought;

(3) nondiscrimination in the development and application of neurotechnologies;

(4) change an individual's decision regarding neurotechnology and the right to determine by what means to change that decision;

(5) be afforded protection from neurotechnological interventions of the mind and from unauthorized access to or manipulation of an individual's brain activity; and

(6) be afforded protection from unauthorized neurotechnological alterations in mental functions critical to personality.

Sec. 3. 3 V.S.A. § 5023 is amended to read:

§ 5023. ARTIFICIAL INTELLIGENCE ADVISORY COUNCIL

(a) Advisory Council. There is established the Artificial Intelligence Advisory Council to provide advice and counsel to the Director of the Division of Artificial Intelligence with regard to the Division's responsibilities to review all aspects of artificial intelligence systems developed, employed, or procured in State government. The Advisory Council, in consultation with the Director of the Division, shall also engage in public outreach and education on artificial intelligence.

(b) Members.

(1) Members. The Advisory Council shall be composed of the following members:

\* \* \*

(F) one member with experience in the field of ethics and human rights, appointed by the ~~Governor~~ National Association of Social Workers, Vermont Chapter;

(G) one member who is an academic at a postsecondary institute, appointed by the Vermont Academy of Science and Engineering;

(H) the ~~Commissioner of Health~~ Secretary of Human Services or designee;

(I) one member with experience in health care, appointed by the Vermont Medical Society;

(J) one member with experience in public education, appointed by the Vermont-National Education Association;

(K) the Executive Director of Racial Equity or designee; ~~and~~

~~(L)~~ the Attorney General or designee;

(M) the State Treasurer or designee; and

(N) one member with relevant knowledge and expertise, appointed by the Governor.

\* \* \*

(h) Repeal. This section shall be repealed on June 30, ~~2027~~ 2030.

Sec. 4. RESPONSIBLE AND ETHICAL USE OF ARTIFICIAL INTELLIGENCE IN HEALTH CARE, HUMAN SERVICES, AND EDUCATION; REPORT

(a) The Artificial Intelligence Advisory Council, in coordination with the Director of the Division of Artificial Intelligence and in consultation with interested stakeholders, shall:

(1) review guidelines and recommendations from the American Medical Association, National Association of Social Workers, National Education Association, and other relevant professional organizations regarding the use of artificial intelligence in the fields of health care, human services, education, public participation, and public finance;

(2) research existing and potential uses of artificial intelligence in public participation processes and in public finance; and

(3) create opportunities for public education and engagement in the development of artificial intelligence policy.

(b) On or before January 15, 2027, the Artificial Intelligence Advisory Council, in coordination with the Director of the Division of Artificial Intelligence, shall submit a written report to the General Assembly:

(1) recommending any additional statutory changes necessary to further the purposes of this act, including:

(A) protections for neurological rights and in relation to neurotechnologies;

(B) guidance on the use of generative artificial intelligence by regulated professions; and

(C) regulating the use of artificial and augmented intelligence in health insurance utilization review processes;

(2) summarizing any additional ways that government can promote the ethical and responsible use of artificial intelligence technology in health and human services and in education;

(3) proposing pilot projects that improve public engagement in public finance using ethical and responsible artificial intelligence technology; and

(4) identifying any reasons for further delaying or removing the new 2030 sunset of the Artificial Intelligence Advisory Council as set forth in Sec. 4 of this act.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

**(Committee Vote: 9-1-1)**

**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)**

### **For Informational Purposes**

#### **CROSSOVER DATES**

The Joint Rules Committee established the following crossover dates:

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

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

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

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

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

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

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

### **JOINT FISCAL COMMITTEE NOTICES**

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

**JFO #3273:** \$29,303,666.00 to the Public Service Department, Office of Economic Opportunity from the U.S. Department of Energy. The Home Energy Rebate Program funds will be used to weatherize low-income homes. The first-year distribution is \$14,133.00 with subsequent yearly awards through May 31, 2029, for a total of \$29,303,666.00. *[Received March 9, 2026]*