

Senate Calendar

FRIDAY, FEBRUARY 28, 2025

SENATE CONVENES AT: 11:30 A.M.

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ORDERS OF THE DAY

NOTICE CALENDAR

Second Reading

Favorable with Recommendation of Amendment

S. 69.

An act relating to an age-appropriate design code.

Reported favorably with recommendation of amendment by Senator Harrison for the Committee on Institutions.

The Committee recommends that the bill be amended as follows:

First: In Sec. 1, 9 V.S.A. chapter 62, subchapter 6, in section 2449a, by striking out subdivision (5) in its entirety and inserting in lieu thereof a new subdivision (5) to read as follows:

(5) “Business associate” has the same meaning as in the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191 (HIPAA).

Second: In Sec. 1, 9 V.S.A. chapter 62, subchapter 6, in section 2449a, by striking out subdivision (11) in its entirety and inserting in lieu thereof a new subdivision (11) to read as follows:

(11) “Covered business” means a sole proprietorship, partnership, limited liability company, corporation, association, other legal entity, or an affiliate thereof:

(A) that conducts business in this State;

(B) that generates a majority of its annual revenue from online services;

(C) whose online products, services, or features are reasonably likely to be accessed by a minor;

(D) that collects consumers’ personal data or has consumers’ personal data collected on its behalf by a processor; and

(E) that alone or jointly with others determines the purposes and means of the processing of consumers personal data.

Third: In Sec. 1, 9 V.S.A. chapter 62, subchapter 6, by striking out section 2449b in its entirety and inserting in lieu thereof a new section 2449b to read as follows:

§ 2449b. EXCLUSIONS

This subchapter does not apply to:

(1) a federal, state, tribal, or local government entity in the ordinary course of its operation;

(2) protected health information that a covered entity or business associate processes in accordance with, or documents that a covered entity or business associate creates for the purpose of complying with, HIPAA;

(3) information used only for public health activities and purposes described in 45 C.F.R. § 164.512;

(4) information that identifies a consumer in connection with:

(A) activities that are subject to the Federal Policy for the Protection of Human Subjects as set forth in 45 C.F.R. Part 46;

(B) research on human subjects undertaken in accordance with good clinical practice guidelines issued by the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use;

(C) activities that are subject to the protections provided in 21 C.F.R. Part 50 and 21 C.F.R. Part 56; or

(D) research conducted in accordance with the requirements set forth in subdivisions (A)–(C) of this subdivision (4) or otherwise in accordance with State or federal law;

(5) an entity whose primary purpose is journalism as defined in 12 V.S.A. § 1615(a)(2) and that has a majority of its workforce consisting of individuals engaging in journalism;

(6) a person who controlled or processed the personal data of not more than:

(A) 25,000 consumers in the previous calendar year, excluding personal data controlled or processed solely for the purpose of completing a payment transaction; or

(B) 50,000 consumers in the previous calendar year, excluding personal data controlled or processed solely for the purpose of completing a payment transaction and had an annual gross revenue of not more than \$1,000,000.00 in the previous calendar year; and

(7) a financial institution or data subject to Title V of the Gramm-Leach-Bliley Act, Pub. L. No. 106-102, and regulations adopted to implement that act.

(Committee vote: 3-2-0)

Senate Resolutions for Notice

S.R. 8.

Senate resolution relating to concurrently conducted electronic committee meetings.

PENDING QUESTION: Shall the resolution be adopted?

(For Text of resolution, see Senate Journal for Thursday, February 27, 2025, page 172)

S.R. 9.

Senate resolution relating to electronic participation in Senate Sessions.

PENDING QUESTION: Shall the resolution be adopted?

(For Text of resolution, see Senate Journal for Thursday, February 27, 2025, page 173)

CONCURRENT RESOLUTIONS FOR ACTION

Concurrent Resolutions For Action Under Joint Rule 16

The following joint concurrent resolutions have been introduced for approval by the Senate and House. They will be adopted by the Senate unless a Senator requests floor consideration before the end of the session. Requests for floor consideration should be communicated to the Secretary's Office.

H.C.R. 41-48 (For text of Resolutions, see Addendum to House Calendar of February 27, 2025)

CONFIRMATIONS

The following appointments will be considered by the Senate, as a group, under suspension of the Rules, as moved by the President *pro tempore*, for confirmation together and without debate, by consent thereby given by the Senate. However, upon request of any senator, any appointment may be singled out and acted upon separately by the Senate, with consideration given to the report of the Committee to which the appointment was referred, and with full debate; and further, all appointments for the positions of Secretaries of Agencies, Commissioners of Departments, Judges, Magistrates, and members of the Public Utility Commission, underlined below, shall be fully and separately acted upon.

Andrew Collier of Westford - Commissioner of the Department of Motor Vehicles - By Senator Brennan for the Committee on Transportation (February 19, 2025)

Allison M. Crowley of South Burlington - Member of the State Police Advisory Commission - By Senator Collamore for the Committee on Government Operations (February 19, 2025)

Seth Shamp of Burlington - Member of the State Police Advisory Commission - By Senator Collamore for the Committee on Government Operations (February 19, 2025)

JFO NOTICE

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

JFO #3244: \$2,335,401.00 to the Agency of Human Services, Department of Health from the Substance Abuse and Mental Health Services Administration. Funds support continued crisis counseling assistance and training in response to the July 2024 flood event.

[Received February 7, 2025]

JFO #3245: \$250,000.00 to the Agency of Human Services, Department of Health from the National Association of State Mental Health Program Directors. Funds used to provide trainings for crisis staff and to make improvements to the State's crisis system dispatch platform.

[Received February 7, 2025]

FOR INFORMATION ONLY

CROSSOVER DATES

The Joint Rules Committee established the following crossover deadlines:

(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 14, 2025**, 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 14, 2025**.

(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 21, 2025**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Note: The Senate will not act on bills that do not meet these crossover deadlines, without the consent of the Senate Rules Committee.

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)