

Journal of the House

Wednesday, February 4, 2026

At three o'clock and thirty minutes in the afternoon, the Speaker called the House to order.

Devotional Exercises

A moment of silence was observed in lieu of a devotional.

Message from the Senate No. 12

A message was received from the Senate by Ms. Gradel, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 37. Joint resolution supporting, in solidarity with national and international ski organizations and numerous skiers across the globe, the introduction of long-overdue gender equality in Nordic combined Olympic competition and urging that the International Olympic Committee (IOC) only introduce new Olympic sports that practice gender equality.

In the adoption of which the concurrence of the House is requested.

Rules Suspended, House Bills Introduced

Pending first reading of House bills, on motion of **Rep. McCoy of Poultney**, the rules were suspended and the bills were read the first time by number and referred to committee as follows:

H. 870

By Rep. Casey of Montpelier,

House bill, entitled

An act relating to initiating eminent domain proceedings for the purposes of affordable housing

To the Committee on General and Housing.

H. 871

By Reps. Harvey of Castleton, Bosch of Clarendon, Coffin of Cavendish, Goslant of Northfield, Labor of Morgan, Malay of Pittsford, Morgan, M. of Milton, Nielsen of Brandon, North of Ferrisburgh, Pinsonault of Dorset, Powers of Waterford, and Winter of Ludlow,

House bill, entitled

An act relating to unemployment insurance fraud

To the Committee on Commerce and Economic Development.

H. 872

By Reps. Harvey of Castleton, Goslant of Northfield, Malay of Pittsford, and Oliver of Sheldon,

House bill, entitled

An act relating to enhancing criminal sentences for violent offenders

To the Committee on Judiciary.

H. 873

By Reps. Harvey of Castleton, Goslant of Northfield, Malay of Pittsford, and Oliver of Sheldon,

House bill, entitled

An act relating to course of conduct in stalking cases

To the Committee on Judiciary.

H. 874

By Rep. Burrows of West Windsor,

House bill, entitled

An act relating to municipal acquisition of abandoned residential and commercial property, municipal regulation of housing, and State funding for housing development

To the Committee on General and Housing.

H. 875

By Reps. Harvey of Castleton, Coffin of Cavendish, Goslant of Northfield, Howard of Rutland City, Labor of Morgan, Malay of Pittsford, Morgan, M. of Milton, Nielsen of Brandon, North of Ferrisburgh, Pinsonault of Dorset, Powers of Waterford, Pritchard of Pawlet, Tagliavia of Corinth, and Winter of Ludlow,

House bill, entitled

An act relating to the possession and promotion of child sexual abuse materials to include computer-generated images

To the Committee on Judiciary.

H. 876

By Reps. Harvey of Castleton, Goslant of Northfield, Malay of Pittsford, and Oliver of Sheldon,

House bill, entitled

An act relating to establishing an annual reporting requirement for prosecutors

To the Committee on Judiciary.

H. 877

By Rep. Greer of Bennington,

House bill, entitled

An act relating to the Green Mountain Passport

To the Committee on Commerce and Economic Development.

H. 878

By Reps. Harvey of Castleton, Bosch of Clarendon, Coffin of Cavendish, Goslant of Northfield, Labor of Morgan, Malay of Pittsford, Morgan, M. of Milton, Nielsen of Brandon, North of Ferrisburgh, Pinsonault of Dorset, Powers of Waterford, Tagliavia of Corinth, and Winter of Ludlow,

House bill, entitled

An act relating to Vermont income and education property taxes

To the Committee on Ways and Means.

H. 879

By Reps. Harvey of Castleton, Coffin of Cavendish, Labor of Morgan, Malay of Pittsford, Morgan, M. of Milton, Nielsen of Brandon, Pinsonault of Dorset, Powers of Waterford, and Pritchard of Pawlet,

House bill, entitled

An act relating to aquatic nuisance control

To the Committee on Environment.

H. 880

By Reps. Cole of Hartford, Greer of Bennington, Boutin of Barre City, Carris Duncan of Whitingham, Emmons of Springfield, Holcombe of Norwich, Hooper of Burlington, Kleppner of Burlington, LaMont of Morristown, McGill of Bridport, Priestley of Bradford, and White of Bethel,

House bill, entitled

An act relating to repealing the exception for clergy to report child abuse and neglect

To the Committee on Judiciary.

H. 881

By Rep. Tomlinson of Winooski,

House bill, entitled

An act relating to expense reimbursement for members of the General Assembly

To the Committee on Government Operations and Military Affairs.

H. 882

By Rep. Bos-Lun of Westminster,

House bill, entitled

An act relating to requiring the regular servicing and cleaning of wastewater systems

To the Committee on Environment.

H. 883

By Reps. Morrow of Weston, Austin of Colchester, Bartley of Fairfax, Bishop of Colchester, Bosch of Clarendon, Campbell of St. Johnsbury, Cole of Hartford, Cooper of Pownal, Duke of Burlington, Keyser of Rutland City, Kleppner of Burlington, Lalley of Shelburne, Micklus of Milton, Olson of Starksboro, Pritchard of Pawlet, Sibia of Dover, Sweeney of Shelburne, Torre of Moretown, White of Waitsfield, and Yacovone of Morristown,

House bill, entitled

An act relating to a permit reform task force

To the Committee on Environment.

H. 884

By Reps. Stone of Burlington, Bartholomew of Hartland, Bishop of Colchester, Coffin of Cavendish, Howard of Rutland City, Lipsky of Stowe, Morgan, M. of Milton, Pezzo of Colchester, Pinsonault of Dorset, Southworth of Walden, and Sweeney of Shelburne,

House bill, entitled

An act relating to the definition of Gold Star family members

To the Committee on Government Operations and Military Affairs.

H. 885

By Reps. McGill of Bridport, Casey of Montpelier, Cina of Burlington, and Headrick of Burlington,

House bill, entitled

An act relating to use of public lands by individuals for life-sustaining activities

To the Committee on Human Services.

H. 886

By Reps. Brady of Williston and Burkhardt of South Burlington,

House bill, entitled

An act relating to creating a cost of competing adjustment

To the Committee on Ways and Means.

H. 887

By Rep. Krasnow of South Burlington,

House bill, entitled

An act relating to crime victim status under the Fair Employment Practices Act

To the Committee on General and Housing.

Bill Referred to Committee on Appropriations**H. 674**

House bill, entitled

An act relating to the creation of the Vermont Sister State Program

Appearing on the Notice Calendar, and pursuant to House Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

House Resolution Referred to Committee**H.R. 13**

Offered by Representatives Cina of Burlington, Cole of Hartford, Headrick of Burlington, Logan of Burlington, McGill of Bridport, and Tomlinson of Winooski

House resolution relating to the end of apartheid and support for the people of Palestine and Israel in the resolution of conflict

Whereas, the cultural, historical, and ancestral connection to native lands is an indispensable component of the human experience, and

Whereas, the region of Asia known since the 16th century as “the Levant” has been subject to colonization and oppression for millennia, with all peoples within this region enduring generations of war, imperialism, and slavery, and

Whereas, the partitioning of Palestine following the expiration of the British colonial mandate and the subsequent development of the two-state model has operated as a platform for proxy conflict between foreign powers, which has caused all occupants of the territory to endure violence and loss, and

Whereas, on September 16, 2025, the United Nations Human Rights Council’s “Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel” published a legal analysis of the conduct of the State of Israel in Gaza and concluded that Israeli authorities had committed acts violating Article II, subsections (a), (b), and (c) of the Convention on the Prevention and Punishment of the Crime of Genocide and that Israeli security forces have genocidal intent to destroy, in whole or in part, Palestinians in the Gaza Strip, and

Whereas, the people of Palestine have been subjected to famine, denial of medical care, and other humanitarian crises, and

Whereas, it is essential that our broader human community commit itself to liberty, peace, fellowship, charity, justice, care for the marginalized, human rights, and international law, and

Whereas, the State of Vermont has traditionally committed to trauma-informed approaches to issue resolution, and

Whereas, the State of Vermont has historically opposed all forms of apartheid and has taken action to divest itself from apartheid states, including the enactment of 1986 Acts and Resolves No. 246, which removed State investments and deposits in South Africa, and

Whereas, all of the cultures, nations, and peoples of the Levant have made invaluable contributions to the well-being, prosperity, and enlightenment of humanity at large, and the stakes of continuing conflict and apartheid are an issue of global concern, *now therefore be it*

Resolved by the House of Representatives:

That this legislative body affirms that all inhabitants of planet Earth are born equally free and independent and have certain natural, inherent, and inalienable rights, including enjoyment and defense of life and liberty; possession and protection of property; and the pursuit and preservation of happiness and safety. Accordingly, this legislative body calls for a global ceasefire and an end to all war; the initiation of processes for truth and reconciliation, reparation of harm, and promotion of recovery; support for the people of both Palestine and Israel in the resolution of conflict; and the end of apartheid, *and be it further*

Resolved: That the Clerk of the House be directed to send a copy of this resolution to the president of the United States, Donald J. Trump; president of Israel, Isaac Herzog; president of the Palestinian Authority, Mahmoud Abbas; Secretary-General of the United Nations, António Guterres; and the Vermont Congressional Delegation.

Was read by title, treated as a bill, and referred to the Committee on Government Operations and Military Affairs pursuant to House Rule 52.

Joint House Resolution Referred to Committee

J.R.H. 8

Offered by Representatives Cole of Hartford, Logan of Burlington, Tomlinson of Winooski, Arsenaault of Williston, Bos-Lun of Westminster, Casey of Montpelier, Chapin of East Montpelier, Cina of Burlington, Dodge of Essex, Donahue of Northfield, Duke of Burlington, Eastes of Guilford, Goldman of Rockingham, Headrick of Burlington, Holcombe of Norwich, Masland of Thetford, McCann of Montpelier, McGill of Bridport, Pouech of Hinesburg, Satcowitz of Randolph, and White of Bethel

Joint resolution condemning the January 3, 2026, U.S. military incursion in Venezuela and imploring that Venezuelan President Nicolás Maduro and his wife, Cilia Flores, be released from U.S. custody; that all U.S. military forces recently deployed in the Caribbean Sea and the eastern Pacific Ocean be withdrawn immediately; that Venezuelans be allowed to exercise their right to political self-determination on their own accord; and that the United States abandon any intentions or plans to repeat a similar intervention to disrupt or destroy the right to self-determination and political sovereignty of any other nation

Whereas, there are fundamental human rights, including the right for all nations peacefully and safely to enjoy and practice political self-determination, and this right belongs equally to the Venezuelans, contrary to the opinion of senior Trump administration official Stephen Miller, who stated in a CNN interview that international treaties enshrining a nation's right to independence and sovereignty are "international niceties," and

Whereas, in the early morning of January 3, 2026, with no prior congressional approval, U.S. military forces, relying in part on Central Intelligence Agency-provided information, seized Venezuelan President Nicolás Maduro and his wife, Cilia Flores, from their compound in Caracas, the nation's capital, and flew them to the United States, and

Whereas, Article I, Section 8 of the U.S. Constitution provides that "The Congress shall have power ... [t]o declare War, grant Letters of Marque and Reprisal, and make rules concerning Captives on Land and Water," and

Whereas, the alleged ocean shipping of illegal drugs to the United States, previously interdicted as a maritime law enforcement action, was President Trump's original explanation for the deployment of U.S. military forces in the Caribbean, the eastern Pacific, and in Caracas, Venezuela; but the American embargo on vessels transporting oil from Venezuela, combined with President Trump's subsequent actions to control the sale and distribution of Venezuelan oil, indicate that oil may well be the true motivation, and

Whereas, Venezuelan sources have indicated that as of January 5, 2026, about 80 persons are known to have perished as a result of the cover attacks that occurred simultaneously, and

Whereas, condemnation of the U.S. military action of January 3, 2026, is not intended to legitimize the leadership of President Nicolás Maduro, who, according to a broad international consensus, lost the 2024 Venezuelan national election and has governed his country illegitimately, but this situation absolutely does not justify or sanction American military intervention literally to seize its current leader and involuntarily transport him to the United States, and

Whereas, ironically, in December 2025, President Trump pardoned former Honduran President Juan Orlando Hernandez, who was serving a 45-year federal prison term on similar drug-related charges, and

Whereas, President Trump has stated that the United States will run Venezuela on an interim basis, and Stephen Miller echoed these comments in the CNN interview, stating "We set the terms and conditions ... [F]or them [the Venezuelans] to be able to run an economy, they need our permission. So the United States is in charge," and

Whereas, their statements are reminiscent of the tragic consequences of American interventions in Iraq and Afghanistan, and the sordid history of prior U.S. interventions in the military or political affairs of other Latin American countries, and

Whereas, Russia could cite this incident as a justification for its actions in Ukraine, and similarly, China, for a possible future attempt to invade and annex Taiwan, and

Whereas, the entire Vermont Congressional Delegation has condemned this military attack on Venezuela, and Senator Sanders described Stephen Miller's comments on CNN as describing imperialism, and

Whereas, President Trump has also threatened the sovereignty of the governments of Columbia, Cuba, Mexico, and Greenland; in the latter instance, it is an island under the jurisdiction of Denmark, a member of NATO, an organization consisting of America's most closely aligned nations, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly condemns the January 3, 2026, U.S. military incursion in Venezuela and implores that Venezuelan President Nicolás Maduro and his wife, Cilia Flores, be released from U.S. custody; that all U.S. military forces recently deployed in the Caribbean Sea and the eastern Pacific Ocean be withdrawn immediately; that Venezuelans be allowed to exercise their right to political self-determination on their own accord; and that the United States abandon any intentions or plans to repeat a similar military intervention to disrupt or destroy the right to self-determination and political sovereignty of any other nation, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to U.S. President Donald J. Trump, U.S. Secretary of State Marco Rubio, U.S. Secretary of Defense Pete Hegseth, and the Vermont Congressional Delegation.

Was read by title, treated as a bill, and referred to the Committee on Government Operations and Military Affairs pursuant to House Rule 52.

Joint Senate Resolution Referred to Committee

J.R.S. 37

By Senators Morley and Baruth,

J.R.S. 37. Joint resolution supporting, in solidarity with national and international ski organizations and numerous skiers across the globe, the introduction of long-overdue gender equality in Nordic combined Olympic

competition and urging that the International Olympic Committee (IOC) only introduce new Olympic sports that practice gender equality.

Whereas, Nordic combined is a challenging winter sport, requiring competitors to prove their skills as both Nordic skiers and alpine ski jumpers, and

Whereas, the first documented Nordic combined competition occurred in Oslo, Norway, in 1892, 32 years before the inaugural Winter Olympics was held in France in 1924, at which Nordic combined was one of the featured events, and

Whereas, the proud century of Nordic combined competition in the Winter Olympics has been tarnished due to its exclusion of women, and

Whereas, women have exhibited outstanding Nordic combined performances in non-Olympic competition, and among the premier women's Nordic combined competitors is Vermonter Tara Geraghty-Moats, who has earned national and international recognition, and

Whereas, unfortunately for this sport, the exclusion of women from Olympic Nordic combined competition persuaded Tara Geraghty-Moats to pursue her Winter Olympic dreams as a biathlon athlete, and

Whereas, Vermont is proudly the home of many outstanding women Winter Olympians, who are medal winners in sports other than Nordic combined, and

Whereas, ironically, although the IOC recently "welcomed the Political Declaration adopted unanimously by the 69th session of the [United Nations] Commission on the Status of Women ... reaffirming the importance of sport as a vehicle for gender equality," it continued this exclusionary policy for the 2026 Winter Olympics, and

Whereas, beyond 2026, Nordic combined Winter Olympic competition may be imperiled, as the IOC may decide to eliminate the sport entirely as a way to end this embarrassing gender exclusion controversy, and

Whereas, the International Ski and Snowboard Federation (FIS), Nordic Combined USA, and male and female Nordic combined skiers from different nations are strongly advocating for the IOC to continue this fabled sport in Winter Olympic competition but with gender equality, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly supports, in solidarity with national and international ski organizations and numerous skiers across the globe, the introduction of long-overdue gender equality in Nordic combined Olympic competition, *and be it further*

Resolved: That the General Assembly urges the IOC only to introduce new Olympic sports that practice gender equality, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to FIS, Nordic Combined USA, U.S. Ski & Snowboard, and the IOC.

Was read by title, treated as a bill, and referred to the Committee on Commerce and Economic Development pursuant to House Rule 52.

Joint Senate Resolution Adopted in Concurrence

J.R.S. 39

By Senator Baruth,

J.R.S. 39. Joint resolution relating to weekend adjournment on February 6, 2026.

Resolved by the Senate and House of Representatives:

That when the two Houses adjourn on Friday, February 6, 2026, it be to meet again no later than Tuesday, February 10, 2026.

Was taken up, read, and adopted in concurrence.

Third Reading; Bill Passed

H. 541

House bill, entitled

An act relating to interference with voters and election officials

Was taken up, read the third time, and passed.

Second Reading; Bill Amended; Third Reading Ordered

H. 5

Rep. Dolan of Essex Junction, for the Committee on Judiciary, to which had been referred House bill, entitled

An act relating to a hearsay exception for a child under 16 years of age

Reported in favor of its passage when amended as follows:

In Sec. 2, effective date, by striking out “July 1, 2025” and inserting in lieu thereof “July 1, 2026”

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Judiciary agreed to, and third reading ordered.

Second Reading; Bill Amended; Third Reading Ordered**H. 626**

Rep. Malay of Pittsford, for the Committee on Judiciary, to which had been referred House bill, entitled

An act relating to voyeurism and disclosure of sexually explicit images without consent

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 2605 is amended to read:

§ 2605. VOYEURISM

(a) Definitions. As used in this section:

(1) “Bona fide private investigator or bona fide security guard” means an individual lawfully providing services, whether licensed or unlicensed, pursuant to 26 V.S.A. §§ 3151 and 3151a.

(2) “Female breast” means any portion of the female breast below the top of the areola.

(3) “Circumstances in which a person has a reasonable expectation of privacy” means circumstances in which a reasonable person would believe that ~~his or her~~ the person’s intimate areas would not be visible to the public, regardless of whether that person is in a public or private area. This definition includes circumstances in which a person knowingly disrobes in front of another, but does not expect nor give consent for the other person to photograph, film, or record ~~his or her~~ the person’s intimate areas.

(4) “Intimate areas” means the naked or undergarment-clad genitals, pubic area, buttocks, or female breast of a person.

(5) “Place where a person has a reasonable expectation of privacy” means:

(A) a place in which a reasonable person would believe that ~~he or she~~ the person could disrobe in privacy, without ~~his or her~~ the person undressing being viewed by another; or

(B) a place in which a reasonable person would expect to be safe from unwanted intrusion or surveillance.

(6) “Sexual conduct” ~~shall have~~ has the same meaning as in section 2821 of this title.

(7) “Surveillance” means secret observation of the activities of another person for the purpose of spying upon and invading the privacy of the person.

(8) “View” means the intentional looking upon another person for more than a brief period of time, in other than a casual or cursory manner, with the unaided eye or a device designed or intended to improve visual acuity.

(9) “Harm” means physical injury, financial injury, or serious emotional distress.

(b) Unlawful viewing. No person shall intentionally view, ~~photograph, film, or record in any format:~~

(1) the intimate areas of another person without that person’s knowledge and consent while the person being viewed, ~~photographed, filmed, or recorded~~ is in a place where ~~he or she~~ the person would have a reasonable expectation of privacy ~~or under circumstances in which the person has a reasonable expectation of privacy;~~ or

(2) ~~the intimate areas of another person without that person’s knowledge and consent and under circumstances in which the person has a reasonable expectation of privacy~~ a person engaged in sexual conduct without that person’s knowledge and consent while the person being viewed is in a place where the person would have a reasonable expectation of privacy or under circumstances in which the person has a reasonable expectation of privacy.

(c) Unlawful photographing, filming, or recording. No person shall display or disclose to a third party any image recorded in violation of ~~subsection (b), (d), or (e) of this section~~ intentionally photograph, film, or record in any format:

(1) ~~the intimate areas of another person without that person’s knowledge and consent while the person being photographed, filmed, or recorded is in a place where the person would have a reasonable expectation of privacy or under circumstances in which the person has a reasonable expectation of privacy;~~ or

(2) a person engaged in sexual conduct without that person’s knowledge and consent while the person being photographed, filmed, or recorded is in a place where the person would have a reasonable expectation of privacy or under circumstances in which the person has a reasonable expectation of privacy.

(d) Surveillance. No person shall intentionally conduct surveillance or intentionally photograph, film, or record in any format a person without that person’s knowledge and consent while the person being surveilled, photographed, filmed, or recorded is in a place where ~~he or she~~ the person

would have a reasonable expectation of privacy within a home or residence. Bona fide private investigators and bona fide security guards engaged in otherwise lawful activities within the scope of their employment are exempt from this subsection.

(e) Display or disclosure to a third party. No person shall intentionally photograph, film, or record in any format a person without that person's knowledge and consent while that person is in a place where a person has a reasonable expectation of privacy and that person is engaged in sexual conduct display or disclose to a third party an image recorded in violation of subsection (c) of this section.

(f) Applicability. This section shall apply to a person who intentionally views, photographs, films, or records the intimate areas of a person as part of a security or theft prevention policy or program at a place of business.

(g) Exceptions. This section shall not apply to:

(1) a law enforcement officer conducting official law enforcement activities in accordance with State and federal law; or

(2) official activities of the Department of Corrections, a law enforcement agency, the Agency of Human Services, or a court for security purposes or during the investigation of alleged misconduct by a person in the custody of the Department of Corrections, a law enforcement agency, the Agency of Human Services, or a court.

(h) Constitutionally protected activity. This section is not intended to infringe upon the freedom of the press to gather and disseminate news as guaranteed by the First Amendment to the Constitution of the United States.

(i) Affirmative defense. It shall be an affirmative defense to a violation of subsection (b) or (c) of this section that the defendant was a bona fide private investigator or bona fide security guard conducting surveillance in the ordinary course of business, and the violation was unintentional and incidental to otherwise legal surveillance. However, an unintentional and incidental violation of subsection (b) or (c) of this section shall not be a defense to a violation of subsection ~~(e)~~(e) of this section.

(j) Penalties.

(1) For a first offense, a person who violates subsection (b), ~~(c), or (d); or (e)~~ of this section shall be imprisoned not more than two years or fined not more than \$1,000.00, or both. For a second or subsequent offense, a person who violates subsection (b), ~~(c), or (d); or (e)~~ of this section shall be imprisoned not more than three years or fined not more than \$5,000.00, or both.

(2) A person who violates subsection ~~(e)~~(e) of this section shall be imprisoned not more than five years or fined not more than \$5,000.00, or both.

(k) Civil.

(1) A plaintiff shall have a private cause of action against a defendant who intentionally displays or discloses to a third party an image recorded in violation of subsection (c) of this section and the display or disclosure causes the plaintiff harm.

(2) In addition to any other relief available at law, the court may order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease display or disclosure of the image. The court may grant injunctive relief maintaining the confidentiality of a plaintiff using a pseudonym.

(3) In an action brought pursuant to this subsection, the required element in a negligence claim of actual injury to the plaintiff may be satisfied by a diagnosis of a disorder resulting from trauma.

(4) A civil action authorized by this subsection may be commenced at any time after the act alleged to have caused the injury or condition. Notwithstanding 1 V.S.A. § 214, this subsection shall apply retroactively to a violation of this section that occurred prior to July 1, 2026, irrespective of any statute of limitations in effect at the time the violation occurred.

Sec. 2. 13 V.S.A. § 2606 is amended to read:

§ 2606. DISCLOSURE OF SEXUALLY EXPLICIT IMAGES WITHOUT
CONSENT

(a) As used in this section:

(1) “Disclose” includes transfer, publish, distribute, exhibit, or reproduce.

(2) “Harm” means physical injury, financial injury, or serious emotional distress.

(3) “Nude” means any one or more of the following uncovered parts of the human body:

- (A) genitals;
- (B) pubic area;
- (C) anus; or
- (D) post-pubescent female nipple.

(4) “Sexual conduct” ~~shall have~~ has the same meaning as in section 2821 of this title.

(5) “Visual image” includes a photograph, film, videotape, recording, or digital reproduction, including an image created or altered by digitization.

(6) “Digitization” means the process of altering an image in a realistic manner utilizing an image or images of a person, including images other than the person depicted, or computer-generated images.

(b)(1) A No person ~~violates this section if the person shall~~ knowingly ~~discloses~~ disclose a visual image of an identifiable person who is nude or who is engaged in sexual conduct, without the person’s consent, with the intent to harm, harass, or ~~intimidate, threaten, or coerce~~ the person depicted, and the disclosure would cause a reasonable person to suffer harm. ~~A person may be identifiable from the image itself or information offered in connection with the image. Consent to recording or production of the visual image does not, by itself, constitute consent for disclosure of the image.~~ A person who violates this subdivision (1) shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

(2) A person who violates this subdivision (1) ~~of this subsection~~ with the intent of disclosing the image for financial profit shall be imprisoned not more than five years or fined not more than \$10,000.00, or both.

(2) For purposes of this section, a person may be identifiable from the image itself or information offered in connection with the image. Consent to recording or production of the visual image does not, by itself, constitute consent for disclosure of the image.

(c) A person who maintains an internet website, online service, online application, or mobile application that contains a visual image of an identifiable person who is nude or who is engaged in sexual conduct shall not solicit or accept a fee or other consideration to remove, delete, correct, modify, or refrain from posting or disclosing the visual image if requested by the depicted person.

(d) This section shall not apply to:

(1) Images involving voluntary nudity or sexual conduct in public or commercial settings or in a place where a person does not have a reasonable expectation of privacy.

(2) Disclosures made in the public interest, including the reporting of unlawful conduct, or lawful and common practices of law enforcement, criminal reporting, corrections, legal proceedings, or medical treatment.

(3) Disclosures of materials that constitute a matter of public concern.

(4) Interactive computer services, as defined in 47 U.S.C. § 230(f)(2), or information services or telecommunications services, as defined in 47 U.S.C. § 153, for content solely provided by another person. This subdivision shall not preclude other remedies available at law.

(e)(1) A plaintiff shall have a private cause of action against a defendant who knowingly discloses, without the plaintiff's consent, an identifiable visual image of the plaintiff while the plaintiff is nude or engaged in sexual conduct and the disclosure causes the plaintiff harm.

(2) In addition to any other relief available at law, the court may order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease display or disclosure of the image. The court may grant injunctive relief maintaining the confidentiality of a plaintiff using a pseudonym.

(3) In an action brought pursuant to this subsection, the required element in a negligence claim of actual injury to the plaintiff may be satisfied by a diagnosis of a disorder resulting from trauma.

(4) A civil action authorized by this subsection may be commenced at any time after the act alleged to have caused the injury or condition. Notwithstanding 1 V.S.A. § 214, this subsection shall apply retroactively to a violation of this section that occurred prior to July 1, 2026, irrespective of any statute of limitations in effect at the time the violation occurred.

Sec. 3. 13 V.S.A. § 2607 is added to read:

§ 2607. SEXUAL EXTORTION

(a) As used in this section:

(1) "Nude" has the same meaning as in section 2606 of this title.

(2) "Serious bodily injury" has the same meaning as in section 1021 of this title.

(3) "Sexual conduct" has the same meaning as in section 2821 of this title.

(4) "Visual image" has the same meaning as in section 2606 of this title.

(b) No person shall knowingly threaten to disclose a visual image of an identifiable person who is nude or who is engaged in sexual conduct, without the person's consent, with the intent to compel a person to:

(1) produce nude images or images of sexual conduct;

(2) engage in sexual conduct;

(3) engage in any act against the person's will;

(4) refrain from engaging in any act in which the person has a legal right to engage; or

(5) provide money or anything of value.

(c) With the intent to compel a person to produce nude visual images or visual images of sexual conduct or to engage in sexual conduct, no person shall knowingly threaten to:

(1) accuse a person of a crime or cause criminal charges to be instituted against a person;

(2) cause injury to a person or property;

(3) expose or publicize an asserted fact, whether true or false, intending to subject another person to hatred, contempt, or ridicule; or

(4) report a person's immigration status or suspected immigration status.

(d)(1) A person who violates this section shall be imprisoned not more than three years or fined not more than \$3,000.00, or both, if the victim of the offense is 18 years of age or older.

(2) A person who violates this section shall be imprisoned not more than 10 years or fined not more than \$10,000.00, or both, if the victim of the offense is under 18 years of age.

(3) If serious bodily injury or death results from a violation of this section, the person convicted of the violation shall be imprisoned not more than 15 years or fined not more than \$15,000.00, or both.

(e) A person who, in good faith and in a timely manner, reports to law enforcement that the person is a victim of a violation of this section shall not be cited, arrested, or prosecuted for a violation of section 2802 (disseminating indecent material to a minor in the presence of the minor), 2802a (disseminating indecent material to a minor outside the presence of the minor), or 2802b (minor electronically disseminating indecent material to another person) of this title.

(f) The immunity provisions of this section apply only to the use and derivative use of evidence gained as a proximate result of the person reporting to law enforcement that the person is a victim of a violation of this section and do not preclude prosecution of the person on the basis of evidence obtained from an independent source.

Sec. 4. 13 V.S.A. § 4501 is amended to read:

§ 4501. LIMITATION OF PROSECUTIONS FOR CERTAIN CRIMES

(a) Prosecutions for aggravated sexual assault, aggravated sexual assault of a child, sexual assault, sexual exploitation of a minor as defined in subsection 3258(c) of this title, human trafficking, aggravated human trafficking, murder, manslaughter, arson causing death, and kidnapping may be commenced at any time after the commission of the offense.

(b) Prosecutions for lewd and lascivious conduct, sexual abuse of a vulnerable adult under subsection 1379(a) of this title, grand larceny, robbery, burglary, embezzlement, forgery, bribery offenses, false claims, fraud under 33 V.S.A. § 141(d), and felony tax offenses shall be commenced within six years after the commission of the offense, and not after.

(c) Prosecutions for any of the following offenses shall be commenced within 40 years after the commission of the offense, and not after:

(1) lewd and lascivious conduct under section 2601 of this title alleged to have been committed against a child under 18 years of age;

(2) maiming under section 2701 of this title;

(3) lewd or lascivious conduct with a child under section 2602 of this title;

(4) sexual exploitation of children under chapter 64 of this title; ~~and~~

(5) sexual abuse of a vulnerable adult under subsection 1379(b) of this title;

(6) voyeurism involving photographing, filming, or recording under subsection 2605(c) of this title;

(7) voyeurism involving display or disclosure of images to a third party under subsection 2605(e) of this title;

(8) disclosure of sexually explicit images without consent under section 2606 of this title; and

(9) sexual extortion under section 2607 of this title.

(d) Prosecutions for arson and first degree aggravated domestic assault shall be commenced within 11 years after the commission of the offense, and not after.

(e) Prosecutions for other felonies and for misdemeanors shall be commenced within three years after the commission of the offense, and not after.

Sec. 5. 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 sexual extortion, voyeurism, and disclosure of sexually explicit images without consent”

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Judiciary agreed to, and third reading ordered.

Adjournment

At four o'clock and forty-seven minutes in the afternoon, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at three o'clock and thirty minutes in the afternoon.