

# Journal of the House

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Friday, March 27, 2026

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

## Devotional Exercises

Devotional exercises were conducted by former Rep. Chip Troiano of Stannard.

## Senate Bills Referred

Senate bills of the following titles were severally taken up, read the first time, and referred to committee as follows:

### S. 197

Senate bill, entitled

An act relating to establishing a primary care payment reform program

To the Committee on Health Care.

### S. 232

Senate bill, entitled

An act relating to public libraries and the Department of Libraries

To the Committee on Government Operations and Military Affairs.

### S. 327

Senate bill, entitled

An act relating to economic development

To the Committee on Commerce and Economic Development.

## House Resolution Placed on Calendar

### H.R. 15

Offered by Representatives Graning of Jericho, Bosch of Clarendon, Boutin of Barre City, Carris Duncan of Whitingham, Cooper of Pownal, Duke of Burlington, Marcotte of Coventry, Micklus of Milton, Olson of Starksboro, Priestley of Bradford, and White of Bethel

House resolution reaffirming the abiding friendship between the State of Vermont and the Republic of China (Taiwan) on the 27th anniversary of the Vermont-Taiwan sister-state relationship and supporting enhanced Vermont-Taiwan bilateral relations and Taiwan's participation in international organizations

*Whereas*, the United States and Taiwan share a vibrant and mutually beneficial bilateral relationship, based on their shared values of freedom, democracy, the rule of law, and a free market economy, and

*Whereas*, the U.S. government has encouraged economic, including trade, and cultural engagements and exchanges between the American and Taiwanese peoples, particularly at the state level, and

*Whereas*, in 2022, the United States and Taiwan launched the U.S.-Taiwan Initiative on 21st-Century Trade to strengthen the two nations' economic and trade relationship, and, in 2023, Congress enacted the United States-Taiwan Initiative on 21st-Century Trade First Agreement Implementation Act, Pub. L. No. 118-13, approving the first agreement under this initiative, and

*Whereas*, in 2025, Taiwan was America's fourth-largest trading partner, with U.S. exports valued at \$54.7 billion and imports from Taiwan worth roughly \$201.4 billion; and for the first time in over a quarter century, the United States was Taiwan's largest export market; and in the agriculture sector, U.S. exports to Taiwan totaled approximately \$2.3 billion, and

*Whereas*, 2026 marks the 250th anniversary of the United States' establishment as a republic based on democratic principles and the 30th anniversary of Taiwan's first direct presidential election, symbolizing this Asian nation's enduring commitment to democracy, and

*Whereas*, in 1999, the State of Vermont and Taiwan entered a sister-state relationship that has proven mutually beneficial in many ways, and

*Whereas*, the 2020 driver's license reciprocity agreement between the State of Vermont and Taiwan exemplifies the sister-state relationship in action, and

*Whereas*, in 2025, Vermont exports to Taiwan were worth approximately \$268 million, meaning Taiwan was Vermont's most valuable Asian export destination, and second worldwide, and Vermont imported an estimated \$76 million worth of goods from Taiwan, and

*Whereas*, establishing a Vermont trade office in Taiwan would further enhance this already successful and long-standing trade relationship, and

*Whereas*, the government of Taiwan has expressed interest in establishing memorandums of understanding with the State of Vermont, one pertaining to economic affairs to establish a clearer structural framework for the two jurisdictions' burgeoning business ties and a second related to education to expand educational exchanges and cooperation, particularly with respect to Mandarin language teaching, and

*Whereas*, United Nations General Assembly Resolution 2758, which the General Assembly of the United Nations adopted on October 25, 1971, replaced the government of Chiang Kai-shek with the government of the People's Republic of China as the exclusive Chinese representative at the United Nations and in all organizations associated with the United Nations, and

*Whereas*, the controlling factor for U.S. government advocacy of support of a public position is American law, and

*Whereas*, in 1979, Congress enacted the Taiwan Relations Act, Pub. L. No. 96-8, which broadly addresses the U.S.-Taiwan relationship, and one of its provisions "provides for the continued membership of the people on Taiwan in any international financial institution or any other international organization," and

*Whereas*, Taiwan's participation and contributions in international organizations such as the International Civil Aviation Organization, the World Health Organization, and the United Nations Framework Convention on Climate Change would greatly benefit the United States and the international community, *now therefore be it*

***Resolved by the House of Representatives:***

That this legislative body reaffirms the abiding friendship between the State of Vermont and the Republic of China (Taiwan) on the 27th anniversary of the Vermont-Taiwan sister-state relationship and supports enhanced Vermont-Taiwan bilateral relations and Taiwan's participation in international organizations, *and be it further*

***Resolved:*** That the Clerk of the House be directed to send a copy of this resolution to President Donald J. Trump; President Lai Ching-te of the Republic of China (Taiwan); Director-General Charles Liao of the Taipei Economic and Cultural Office in Boston; Governor Philip B. Scott; and the Vermont Congressional Delegation.

Was read by title and placed on the Action Calendar on the next legislative day pursuant to House Rule 52.

**Ceremonial Reading****H.C.R. 228**

Offered by Representatives Lipsky of Stowe, Brigham of St. Albans Town, Casey of Hubbardton, Demar of Enosburgh, Feltus of Lyndon, Goslant of Northfield, Harvey of Castleton, Laroche of Franklin, Malay of Pittsford, Morgan, L. of Milton, Nelson of Derby, North of Ferrisburgh, O'Brien of Tunbridge, Oliver of Sheldon, Pinsonault of Dorset, and Quimby of Lyndon

House concurrent resolution congratulating Ryan Kilborn on his selection as the recipient of the Vermont Forest Products Association Outstanding Management of Resources award

*Whereas*, one of the shining stars of the Vermont forestry industry is Ryan Kilborn, who Meadowsend Timberlands has employed as a forest resource manager since 2013, and he also works for independent clients, and

*Whereas*, a 2005 forestry and wildlife biology graduate of the University of Vermont, he is one of the U.S. Department of Agriculture Natural Resources Conservation Service's technical service providers, a Vermont tree farm inspector, and a licensed herbicide applicator, and

*Whereas*, Ryan Kilborn serves as a forestry resource manager across northern Vermont, New Hampshire, and New York; has overseen more than 120 timber sales; and when working with his landowner clients, emphasizes creative and forward-looking management goals, balancing economic viability, recreation, conservation, and ecological resilience, and

*Whereas*, he is adept at the development of high-quality sugar woods, the integration of mountain bike trail systems, and the enhancement of biodiversity and ecosystem services, while always cognizant of the landowner's objectives, and

*Whereas*, Ryan Kilborn is a dedicated forestry educator, who routinely takes the lead in advising his clients and the broader public regarding the fundamental importance of practicing sustainable forestry, and his membership in the Forest Stewards Guild reflects that organization's similar forest management perspective, and

*Whereas*, in recognition of his superb record as a forest resource manager, Ryan Kilborn is the recipient of the Vermont Forest Products Association Outstanding Management of Resources award, and he is the Vermont nominee for a similar honor from the Northeastern Loggers Association (NELA),  
*now therefore be it*

***Resolved by the Senate and House of Representatives:***

That the General Assembly congratulates Ryan Kilborn on his selection as the recipient of the Vermont Forest Products Association Outstanding Management of Resources award and wishes him every success in the NELA award's selection process, *and be it further*

***Resolved:*** That the Secretary of State be directed to send a copy of this resolution to Ryan Kilborn.

Having been adopted in concurrence on Friday, March 20, 2026 in accord with Joint Rule 16b, was read.

**Remarks Journalized**

On motion by **Rep. Bartley of Fairfax**, the following remarks by **Reps. Conlon of Cornwall, Morgan, M. of Milton, and McCoy of Poultney** were ordered printed in the Journal:

**Rep. Conlon of Cornwall** offered the following remarks:

“Madam Speaker:

I wanted to take a small moment on the member from Milton's final day as a State Representative to thank him for his four years of thoughtful, open-minded service to the House Education Committee and our State. He is a quiet person who listens, and then, when he talks, offers constructive, helpful comments. More than once, he has broken logjams where I have failed. I know his decision has been painful, but it is good to know that our loss is Milton's gain, and his committee wishes him success in his service to his community.”

**Rep. Morgan, M. of Milton** offered the following remarks:

“Madam Speaker:

Today marks the end of the line for the member from Milton - the curtain call on his legislative career. He has chosen to fully dedicate his time to his duties as our Town Manager - a job that he is already flourishing in.

As I stated on Tuesday of this week when his resignation letter was read, I will miss looking left and seeing my good friend not in his seat any longer. Chris Taylor has always been a rock for me. I've called him countless times for all kinds of things, and he always makes the time to hear me out.

If I need a second opinion on something – I call Chris Taylor.

If I need a proof reading of something – I call Chris Taylor.

If I need to have a voice of reason – I call Chris Taylor.

If I need someone to simply vent off steam to – I call Chris Taylor.

I think you get the picture—

I believe a majority of us have had the opportunity to interface with Chris Taylor and regardless of one's party politics or affiliations I think most, if not all, would agree that Chris Taylor is simply just a quality, stand-up guy. He is thoughtful, respectful, courteous, patient, listens well, and thinks hard before ever speaking. What many of you don't know is that he has a phenomenal spouse with his wife Jenn. They are both quality human beings."

Madam Speaker, may I read a quote from Muhamad Ali? 'Service to others is the rent you pay for your room here on earth.' Chris Taylor is the epitome of that quote. And unlike the member from Newport City that is KIND OF a big deal, Chris Taylor IS a big deal."

**Rep. McCoy of Poultney** offered the following remarks:

"Madam Speaker:

It seems as if we have had a lot of farewells this session.

Today, we'll say goodbye to Rep. Chris Taylor of Milton. While Chris has only been a member since 2023, which probably feels like a lifetime to him, his terms have all been in House Education. He was an integral part of getting the Education bill out of the House last year, serving on the Committee of Conference, and ultimately seeing Act 73 come to fruition.

Those who know Rep. Taylor, know he is a quiet, introspective person, always listening to everyone before he speaks. Earning the respect of his committee, and this body, he was appointed Vice Chair of Education after only one term. He is a team player, always looking for compromise. He leaves the House today, still trying for compromise on an education bill.

Appointed as Town Manager of the Town of Milton after Don Turner's passing, people said he had large shoes to fill. And fill them he has. The Town of Milton was wise in their choices of Town Managers. Rep. Taylor has earned the respect of the Selectboard, the staff, all the employees, and most especially, the citizens of the Town of Milton. That, in and of itself, speaks volumes to Rep. Taylor's character, knowledge, work ethic, and ability to get into the weeds to get things done.

The Town of Milton is lucky to have Rep. Taylor. This House, his constituency, and the great citizens of the State of Vermont will lose a champion for all Vermonters today.

Farewell, good luck, and Godspeed, Chris."

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**Bill Amended; Third Reading; Bill Passed****H. 951**

House bill, entitled

An act relating to making appropriations for the support of the government

Was taken up and, pending third reading of the bill, **Rep. Emmons of Springfield** moved to amend the bill by adding a new section to be Sec. B.1103 to read as follows:

Sec. B.1103 CASH FUND FOR CAPITAL AND ESSENTIAL

INVESTMENTS; FISCAL YEAR 2027 ONE-TIME CAPITAL  
APPROPRIATIONS

(a) In fiscal year 2027, \$23,418,455 is appropriated from the Capital Infrastructure Subaccount in the Cash Fund for Capital and Essential Investments for the following:

(1) Department of Buildings and General Services:

(A) \$1,281,174 for statewide major maintenance;

(B) \$225,000 for statewide physical security enhancements;

(C) \$3,600,000 for Asa Bloomer roof replacement;

(D) \$900,000 for Rutland multimodal garage renovation;

(E) \$3,000,000 for Burlington, 32 Cherry St. parking garage repairs;

(F) \$1,050,000 for the Agency of Human Services for HVAC upgrades at correctional facilities;

(G) \$225,000 for the Agency of Human Services for statewide correctional facilities security upgrades;

(H) \$700,000 for the Agency of Human Services for door control upgrades at correctional facilities;

(I) \$1,000,000 for the Agency of Human Services for the Northern State Correctional Facility boiler replacement;

(J) \$772,557 for the Agency of Human Services for the Department for Children and Families' youth short-term stabilization facility;

(K) \$500,000 for the Department of Public Safety for an Urban Search and Rescue (USAR) facility;

(L) \$1,600,000 for the Judiciary for renovations at the White River Junction courthouse; and

(M) \$1,250,000 for the Agency of Human Services for replacement women's reentry and correctional facilities.

(2) Department of Environmental Conservation:

(A) \$2,498,000 for the State match for federal Drinking Water State Revolving Fund; and

(B) \$150,000 for Waterbury Dam Penstock project cost overruns.

(3) Department of Forests, Parks and Recreation:

(A) \$400,000 for park infrastructure and rehabilitation, improvement, and three-acre rule compliance.

(4) Department of Fish and Wildlife:

(A) \$200,000 for dam maintenance and safety planning.

(5) Judiciary:

(A) \$500,000 for the Essex County Courthouse connector project.

(6) Vermont Historical Society:

(A) \$566,724 for the replacement of a climate control unit.

(7) Department of Corrections:

(A) \$3,000,000 to work with the Agency of Digital Services to install a Wi-Fi system in State correctional facilities that is appropriately designed to address the safety, security, and confidentiality risks of the correctional environment.

Which was agreed to.

Pending the question, Shall the bill pass?, **Rep. McCoy of Poultney** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill pass?, was decided in the affirmative. Yeas, 97. Nays, 40.

Those who voted in the affirmative are:

Arsenault of Williston	Emmons of Springfield	McFaun of Barre Town
Austin of Colchester	Feltus of Lyndon *	McGill of Bridport
Bartholomew of Hartland	Galfetti of Barre Town	Mihaly of Calais
Berbeco of Winooski	Garofano of Essex *	Minier of South Burlington
Birong of Vergennes	Goldman of Rockingham *	Morris of Springfield
Bishop of Colchester *	Goodnow of Brattleboro	Morrow of Weston
Black of Essex	Graning of Jericho	Mrowicki of Putney *
Bluemle of Burlington	Greer of Bennington	Nigro of Bennington
Bos-Lun of Westminster	Hango of Berkshire *	Noyes of Wolcott
Boutin of Barre City	Harple of Glover *	Nugent of South Burlington
Boyden of Cambridge	Headrick of Burlington	O'Brien of Tunbridge

Brady of Williston	Holcombe of Norwich	Ode of Burlington
Brown of Richmond	Houghton of Essex Junction	Olson of Starksboro
Burke of Brattleboro	Howard of Rutland City	Page of Newport City
Burkhardt of South Burlington	Hoyt of Hartford	Pezzo of Colchester
Burrows of West Windsor	Hunter of Manchester	Pouech of Hinesburg
Campbell of St. Johnsbury	James of Manchester *	Priestley of Bradford
Canfield of Fair Haven	Kascenska of Burke	Rachelson of Burlington
Casey of Montpelier	Kimbell of Woodstock	Satcowitz of Randolph
Cina of Burlington	Kleppner of Burlington *	Scheu of Middlebury *
Cole of Hartford	Kornheiser of Brattleboro	Sheldon of Middlebury
Conlon of Cornwall	Krasnow of South Burlington	Sibilia of Dover
Cooper of Pownal	Lalley of Shelburne	Squirrell of Underhill
Corcoran of Bennington	LaLonde of South Burlington	Stevens of Waterbury *
Critchlow of Colchester	Laroche of Franklin	Stone of Burlington *
Dickinson of St. Albans Town	Lipsky of Stowe	Sweeney of Shelburne
Dodge of Essex	Logan of Burlington	Tomlinson of Winooski
Dolan of Essex Junction *	Long of Newfane	Torre of Moretown
Donahue of Northfield	Lueders of Lincoln	Waszazak of Barre City
Duke of Burlington	Marcotte of Coventry	Waters Evans of Charlotte
Durfee of Shaftsbury	Masland of Thetford	White of Waitsfield
Eastes of Guilford *	McCann of Montpelier	Wood of Waterbury *
		Yacovone of Morristown

Those who voted in the negative are:

Bartley of Fairfax	Hooper of Randolph	Oliver of Sheldon
Bosch of Clarendon	Howland of Rutland Town	Parsons of Newbury
Branagan of Georgia	Keyser of Rutland City	Pinsonault of Dorset
Brigham of St. Albans Town	Labor of Morgan	Powers of Waterford
Burditt of West Rutland	Luneau of St. Albans City	Pritchard of Pawlet
Burt of Cabot	Maguire of Rutland City	Quimby of Lyndon
Casey of Hubbardton	Malay of Pittsford	Southworth of Walden
Charlton of Chester	McCoy of Poultney	Steady of Milton *
Coffin of Cavendish	Morgan, L. of Milton	Tagliavia of Corinth
Demar of Enosburgh	Morgan, M. of Milton	Taylor of Milton
Dobrovich of Williamstown	Morrissey of Bennington	Taylor of Mendon
Dolgin of St. Johnsbury	Nelson of Derby	Wells of Brownington
Goslant of Northfield	Nielsen of Brandon	
Harvey of Castleton *	North of Ferrisburgh	

Those members absent with leave of the House and not voting are:

Bailey of Hyde Park	Christie of Hartford	Micklus of Milton
Carris Duncan of Whitingham	Gregoire of Fairfield	Walker of Swanton
Chapin of East Montpelier	Higley of Lowell	White of Bethel
	LaMont of Morristown	Winter of Ludlow

**Rep. Bishop of Colchester** provided the following vote explanation:

“Madam Speaker:

Today, we approved a budget that despite tremendous financial pressure holds to just a 1.6% increase from the current fiscal year. This is a budget that virtually mirrors the difficult budget work done by our State agencies and reflects the needs of Vermonters as expressed by two co-equal branches of State government. I am particularly thankful for the funds that support Colchester and nine other towns through the invaluable services provided through the Community Outreach Program.”

**Rep. Dolan of Essex Junction** provided the following vote explanation:

“Madam Speaker:

H.951 is a fiscally responsible budget that was passed unanimously by House Appropriations. This budget invests in every corner of Vermont through a thoughtful, comprehensive approach that lifts up all Vermonters.”

**Rep. Eastes of Guilford** provided the following vote explanation:

“Madam Speaker:

I vote YES on H.951. This stressful time requires thoughtfulness, careful analysis, and leadership. I trust the committee, its process, as well as the input of hundreds of multi-partisan voices.”

**Rep. Feltus of Lyndon** provided the following vote explanation:

“Madam Speaker:

Developing our FY27 budget has been a very difficult, yet collaborative, endeavor. Needs of our most vulnerable have been considered and I have concluded that we made a reasonable and responsible decision.”

**Rep. Garofano of Essex** provided the following vote explanation:

“Madam Speaker:

The FY27 budget that was voted out of the Appropriations Committee reflects the difficult but necessary work of balancing Vermont’s priorities with responsible fiscal stewardship. It makes important investments in the services Vermonters rely on while carefully managing limited resources in a challenging fiscal environment. For these reasons, I voted yes on H.951.”

**Rep. Goldman of Rockingham** provided the following vote explanation:

“Madam Speaker:

I vote yes to support the budget. The Appropriations Committee has worked countless hours over the last months. They listened to policy committees’ recommendations, they listened to advocates, they listened to Vermonters. The resulting budget was voted out of committee unanimously on an 11-0 vote. This bipartisan vote clearly shows support for Vermonters in every corner of the State. I thank them for their tireless work.”

**Rep. Hango of Berkshire** provided the following vote explanation:

“Madam Speaker:

I voted yes to support the thoughtful, deliberative work of the Appropriations Committee, which our committee saw firsthand. The extensive inquiry that the members of HAC engaged in went above and beyond, and I respect how difficult their decisions were.”

**Rep. Harple of Glover** provided the following vote explanation:

“Madam Speaker:

I voted for this budget because it is a fiscally responsible and balanced budget, which was voted out unanimously from Appropriations and invests in Vermonters from every corner of the State. At a time when I see so many of my neighbors struggling to make ends meet, this is not a time to defund our government and to kick them while they’re down by turning our backs on them and further cutting critical services. I voted YES to protect my community in their time of greatest need.”

**Rep. Harvey of Castleton** provided the following vote explanation:

“Madam Speaker:

Vermonters across our State are making tough decision and tightening their own budgets. I cannot support this budget that fails to do the same.”

**Rep. James of Manchester** provided the following vote explanation:

“Madam Speaker:

This is a balanced and responsible budget based on months of work, extensive testimony, and public comment, the recommendations of the Executive Branch and our policy committees, and the laudable unanimous approval of our House Appropriations Committee. I vote yes to support that thoughtful collaboration and these vital investments that reach every corner of Vermont.”

**Rep. Kleppner of Burlington** provided the following vote explanation:

“Madam Speaker:

This budget represents an increase of roughly 1.6 percent versus last year. Inflation in the United States right now is running a full point above that so in real dollars this budget represents a decrease. It is perfectly appropriate and rigorous of the austere times we find ourselves in. A budget that is a real dollar decrease from the year before is not an extravagant or wasteful budget in anyway.”

**Rep. Mrowicki of Putney** provided the following vote explanation:

“Madam Speaker:

I vote yes. Noting our job is made that much harder by the failed policies of the current president, from tariffs to Canadian oppression and budget cuts, and now another Mideast war costing a billion dollars a day leading to more federal cuts to states.”

**Rep. Scheu of Middlebury** provided the following vote explanation:

“Madam Speaker:

The FY27 budget garnered a unanimous, bipartisan vote from the House Appropriations Committee, representing months of hard work, difficult decisions, and compromise.

I find it ironic that those who support throwing taxpayers under the bus with a one-year buy down of property taxes with no plan for what to do next, choose to vote against a bipartisan, thoughtfully crafted budget because they don’t like using \$9 million of onetime money to support some of our most vulnerable Vermonters, including those who are deaf and blind, those without health insurance, the elderly, and those who are hungry. Knowing this money will not be available the following year gives organizations and State agencies time to plan.

I vote YES to a fiscally responsible budget that supports Vermonters in all four corners of our State.”

**Rep. Steady of Milton** provided the following vote explanation:

“My NO vote is for the Vermonters that struggle to pay their property taxes. I stand with Governor Scott and his staff and the other Representatives who voted no today. We can leave this chamber today with our heads held high knowing we are working hard to make Vermont affordable! I worry that with an increased State budget, we will cause more homelessness and people leaving our wonderful State! As I hear Governor Scott say often, we can do better for Vermonters!”

**Rep. Stevens of Waterbury** provided the following vote explanation:

“Madam Speaker:

I vote yes. This was a budget created under circumstances of austerity. I especially vote yes for the forty one-time appropriations not included in the Governor’s recommend. Those one-time appropriations will feed Vermonters, keep Vermonters in their homes, and provide health care to Vermonters who lost their insurance due to the cruelty of federal tax cuts. I’d rather spend \$20 million for these things than a billion dollars a day on a misbegotten war.”

**Rep. Stone of Burlington** provided the following vote explanation:

“Madam Speaker:

At its core, this is a fiscally responsible budget that was approved unanimously by Appropriations. I voted yes because behind every number is a person, every person a story, and every story a Vermonter. This budget meets the moment with care and responsibility, supporting our communities while respecting taxpayers, and that’s why I’m proud to support it.”

**Rep. Wood of Waterbury** provided the following vote explanation:

“Madam Speaker:

We’ve heard about VTrans employees who have lost their jobs. This budget represents cuts across all of Human Services including loss of jobs and services. Yet this budget does its best to support vulnerable Vermonters and I appreciate the balance the Appropriations Committee achieved. I vote yes to support the Committee and all Vermonters.”

### **Second Reading; Bill Amended; Third Reading Ordered**

#### **H. 657**

**Rep. Donahue of Northfield**, for the Committee on Human Services, to which had been referred House bill, entitled

An act relating to enabling unaccompanied homeless youth to obtain certain services without parental consent

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

\* \* \* Removing Reach Up Asset Limit \* \* \*

Sec. 1. 33 V.S.A. § 1103 is amended to read:

§ 1103. ELIGIBILITY AND BENEFIT LEVELS

\* \* \*

(c) The Commissioner shall adopt rules for the determination of eligibility for the Reach Up program and benefit levels for all participating families that include the following provisions:

\* \* \*

~~(5)(A) The asset limitation shall be \$9,000.00 for families for the purposes of determining initial and continuing eligibility for the Reach Up program, and the following savings accounts shall not be considered in the calculation for determining the asset limitation:~~

~~(i) a retirement account, such as an individual retirement arrangement (IRA), a defined contribution plan qualified under 26 U.S.C. § 401(k), or any similar account as defined in 26 U.S.C. § 408; and~~

~~(ii) a qualified child education savings account, such as the Vermont Higher Education Investment Plan, established in 16 V.S.A. § 2877, or any similar plan qualified under 26 U.S.C. § 529.~~

~~(B) The value of assets accumulated from the earnings of adults and children in participating families and from any federal or Vermont earned income tax credit shall be excluded for purposes of determining continuing eligibility for the Reach Up program. The Department shall not impose an asset limit for the purpose of initial and continuing eligibility for the Reach Up program.~~

\* \* \*

\* \* \* Social Security Benefits for Youth in Foster Care \* \* \*

Sec. 2. 33 V.S.A. § 4902 is amended to read:

#### § 4902. DEFINITIONS

As used in this chapter:

(1) “Child” means a person under 18 years of age committed by the Family Division of the Superior Court to the Department for Children and Families.

(2) “Commissioner” means the Commissioner for Children and Families.

(3) “Department” means the Department for Children and Families.

(4) “Foster care” means care of a child, for a valuable consideration, in a child care institution or in a family other than that of the child’s parent, guardian, or relative.

(5) “Qualified ABLE account” means an ABLE account, as that term is defined in section 8002 of this title, or an account established pursuant to any qualified state ABLE program created pursuant to 26 U.S.C. § 529A (section 529A of the Internal Revenue Code of 1986).

(6) “Representative payee” means the person appointed by the Social Security Administration to manage Social Security benefits for a child.

(7) “RSDI benefits” means a child’s retirement, survivors, or disability insurance benefits under 42 U.S.C. chapter 7, subchapter II (Title II of the Social Security Act).

(8) “Social Security Act” means the Social Security Act, 42 U.S.C. chapter 7, as may be amended.

(9) “Social Security benefits” means a child’s RSDI benefits, SSI benefits, or both, as applicable.

(10) “SSI benefits” means a child’s Supplemental Security Income benefits under 42 U.S.C. chapter 7, subchapter XVI (Title XVI of the Social Security Act).

Sec. 3. 33 V.S.A. § 4907 is added to read:

§ 4907. FOSTER CARE; SOCIAL SECURITY BENEFITS

(a) The Department shall not use any portion of a child’s Social Security benefits to offset the State’s costs for the child’s maintenance except to maintain the child’s eligibility for SSI benefits and to avoid a violation of federal asset or resource limits.

(b) Upon the request of the child or the child’s foster care provider, the Department, in its capacity as representative payee for a child, may use the child’s Social Security benefits for the child’s unmet needs beyond the amount that the State is obligated, required, or agrees to pay for the care of the child.

(c) In its capacity as representative payee for a child and with the assistance of the State Treasurer, the Department shall:

(1) establish a trust account for the child, which shall be a qualified ABLE account for any child receiving SSI benefits;

(2) monitor any federal asset or resource limits for the child’s SSI benefits;

(3) ensure that the child’s best interests are served by using the child’s Social Security benefits for the child’s unmet needs or conserving the child’s Social Security benefits in a way that avoids violating any federal asset or resource limits that would affect the child’s ability to receive SSI benefits;

(4) appeal any denied application for SSI benefits submitted on behalf of a child; and

(5) provide an annual accounting of the use, application, or conservation of the child's Social Security benefits, including any payments made under subsection (b) of this section, to the child; the child's parent, legal guardian, or counsel; the Family Division of the Superior Court; and the Office of the Child, Youth, and Family Advocate.

\* \* \* Enabling Unaccompanied Youth to Obtain Certain Services Without Parental Consent \* \* \*

Sec. 4. 33 V.S.A. § 4908 is added to read:

§ 4908. UNACCOMPANIED YOUTH

(a) Definition. As used in this section:

(1) "Homeless children and youth" means individuals who lack a fixed, regular, and adequate nighttime residence, including:

(A) children and youth sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

(B) children and youth living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

(C) children and youth living in emergency or transitional shelters;

(D) children and youth abandoned in hospitals;

(E) children and youth living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(F) children and youth living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or

(G) migratory children who qualify as homeless because they are living in circumstances described in this subdivision.

(2) "Unaccompanied homeless youth" means a homeless child or youth not in the physical custody of a parent or guardian.

(3) "School district homeless liaison" means an employee designated by a school district to act as a liaison for homeless children and youth.

(b) Certification. An unaccompanied youth may become certified if the youth is:

(1) found by a school district homeless liaison or other appropriate staff person to be an unaccompanied youth; or

(2) believed to qualify as an unaccompanied youth, by:

(A) the director of an emergency shelter program funded by the State;

(B) the director of a runaway or homeless youth program funded by the U.S. Department of Health and Human Services or the U.S. Department of Housing and Urban Development or designee;

(C) a continuum of care lead agency or designee;

(D) the Chief Juvenile Defender or designee; or

(E) the Vermont Network Against Domestic and Sexual Violence or designee.

(c) Proof of certification.

(1) Elevate Youth Services' Vermont Coalition of Runaway and Homeless Services shall develop a standardized form that shall be used by the entities specified in subdivision (b)(2) of this section to certify qualifying unaccompanied youths. The front of the form shall include the circumstances that qualify the youth; the date the youth was certified; the name, title, and signature of the certifying individual; and confirmation from the certifying individual that they have completed a human trafficking training in the past two years. This section shall be reproduced in its entirety on the back of the form.

(2) Without the consent of a parent or guardian, a certified unaccompanied youth may use the completed form to:

(A) apply at no charge for a nondriver identification card pursuant to 23 V.S.A. § 115, a learner's permit pursuant to 23 V.S.A. § 617, or an operator's license or operator's privilege card pursuant to 23 V.S.A. § 608;

(B) obtain a vital event certificate at no charge pursuant to 18 V.S.A. § 5017;

(C) consent to care by health care professionals licensed or certified in Vermont, including medical care; dental care; mental health care services, including psychological counseling and treatment, psychiatric treatment, and substance use prevention and treatment services; and surgical diagnosis and treatment, including medical diagnosis and treatment, such as preventive care and care provided in a health care facility, as defined in 18 V.S.A. § 9432, for:

(i) themselves; or

(ii) the youth's child, if the certified unaccompanied youth is unmarried, is the parent of the child, and has actual custody of the child;

(D) enter into a contract for housing or obtain admission to a shelter or transitional housing;

(E) obtain employment, pursuant to 21 V.S.A. chapter 5, subchapter 4;

(F) purchase an automobile and obtain an automobile liability policy that meets the requirements of 23 V.S.A. chapter 11;

(G) apply for a student loan;

(H) obtain admission to high school or postsecondary school and participate in school activities, including extracurricular activities and field trips;

(I) open an account at a State- or federally chartered bank or credit union; and

(J) receive services for victims of domestic or sexual violence, as appropriate.

(d) Use of certification form. A health care professional shall accept the completed form as proof of the youth's status as a certified unaccompanied youth. Entities that provide housing, services, or benefits authorized under this section may keep a copy of the form or card in the youth's medical file.

(e) Consent of a parent or guardian.

(1) A certification issued pursuant to subsection (b) of this section shall authorize an unaccompanied youth to obtain benefits and services listed in subsection (c) of this section. A person, provider, or health care professional shall not require the consent of a parent or guardian as a condition of providing a benefit or service authorized under subsection (c) of this section.

(2) For the purposes of implementing subdivision (c)(2)(I) of this section, the Commissioner of Financial Regulation shall ensure that minimum youth certification requirements are met for the purpose of making it legally permissible for a bank, credit union, or insurance company to contract with an unaccompanied youth without the consent of a parent or guardian and with the understanding that the unaccompanied youth may not have a permanent physical address.

(f) Immunity from liability. Any entity, provider, or health care professional who contracts with an unaccompanied youth pursuant to this section shall be immune from liability for the determination to contract with a minor, unless the entity, provider, or health care professional acted with gross negligence.

(g) Nothing in this section shall be construed as altering the Interstate Compact for Juveniles.

Sec. 4a. 13 V.S.A. § 1311 is amended to read:

§ 1311. UNLAWFUL SHELTERING; AIDING A RUNAWAY CHILD

\* \* \*

(b) A person commits the crime of unlawfully sheltering or aiding a runaway child if the person:

- (1) knowingly shelters a runaway child;
- (2) intentionally aids, helps, or assists a child to become a runaway child; or
- (3) knowingly takes, entices, or harbors a runaway child, with the intent of committing a criminal act involving the child or with the intent of enticing or forcing the child to commit a criminal act.

(c) Exempt from the prohibitions of this section are:

- (1) a shelter, or the directors, agents, or employees of a shelter, designated by the Commissioner for Children and Families pursuant to 33 V.S.A. § 5304, provided that the requirements of 33 V.S.A. § 5303(b) are satisfied; ~~and~~
- (2) a person who has taken the child into custody pursuant to 33 V.S.A. § 5251 or 5301; and
- (3) a person providing assistance pursuant to 33 V.S.A. § 4908.

\* \* \*

\* \* \* Unaccompanied Youth; Vital Event Certificates \* \* \*

Sec. 5. 18 V.S.A. § 5017 is amended to read:

§ 5017. FEES FOR COPIES

- (a) For a certified copy of a vital event certificate, the fee shall be \$10.00.
- (b) The State Registrar shall waive the fee for certified copies of vital event certificates issued to:
  - (1) an individual attesting to a lack of fixed, regular, and adequate nighttime residence; ~~and~~
  - (2) an individual between 18 and 24 years of age who resided in a foster home or residential child care facility between 16 and 18 years of age pursuant to placement by a child-placing agency; and

(3) an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908.

\* \* \* Unaccompanied Youth; Nondriver Identification Cards \* \* \*

Sec. 6. 23 V.S.A. § 115 is amended to read:

§ 115. NONDRIVER IDENTIFICATION CARDS

(a)(1) Any Vermont resident may make application to the Commissioner and be issued an identification card that is attested by the Commissioner as to true name, correct age, residential address unless the listing of another address is requested by the applicant or is otherwise authorized by law, and any other identifying data as the Commissioner may require that shall include, in the case of minor applicants, the written consent of the applicant's parent, guardian, or other person standing in loco parentis.

\* \* \*

(3) The Commissioner shall require payment of a fee of \$29.00 at the time application for an identification card is made, except that an initial nondriver identification card shall be issued at no charge to:

(A) an individual who surrenders the individual's license in connection with a suspension or revocation under subsection 636(b) of this title due to a physical or mental condition; or

(B) an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age; and

(C) an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908.

\* \* \*

\* \* \* Unaccompanied Youth; License and Privilege Cards \* \* \*

Sec. 7. 23 V.S.A. § 608 is amended to read:

§ 608. FEES

\* \* \*

(c)(1) Individuals under 23 years of age who were in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall be provided with operator's licenses or operator privilege cards at no charge.

(2) No additional fee shall be due for a motorcycle endorsement for an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

(d) Individuals receiving Supplemental Security Income or Social Security Disability Income and individuals with a disability as defined in 9 V.S.A. § 4501 shall be provided with operator's licenses or operator privilege cards for the following fees:

(1) Original issuance: \$20.00.

(2) Renewal every four years: \$20.00.

(3) Replacement of lost, destroyed, or mutilated card or a new name is required: \$10.00.

(e)(1) An unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 shall be provided with operator's licenses or operator privilege cards at no charge.

(2) No additional fee shall be due for a motorcycle endorsement for an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908.

\* \* \* Unaccompanied Youth; Learner's Permit \* \* \*

Sec. 8. 23 V.S.A. § 617 is amended to read:

§ 617. LEARNER'S PERMIT

\* \* \*

(b)(1) Notwithstanding the provisions of subsection (a) of this section, any licensed person may apply to the Commissioner of Motor Vehicles for a learner's permit for the operation of a motorcycle in the form prescribed by the Commissioner. The Commissioner shall offer both a motorcycle learner's permit that authorizes the operation of three-wheeled motorcycles only and a motorcycle learner's permit that authorizes the operation of any motorcycle. The Commissioner shall require payment of a fee of \$24.00 at the time application is made, except that no fee shall be charged for an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 or for an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

(2) After the applicant has successfully passed all parts of the applicable motorcycle endorsement examination, other than a skill test, the Commissioner may issue to the applicant a learner's permit that entitles the applicant, subject to subsection 615(a) of this title, to operate a three-wheeled motorcycle only, or to operate any motorcycle, upon the public highways for a period of 120 days from the date of issuance. The fee for the examination shall be \$11.00, except that no fee shall be charged for an unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 or for an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age.

(3) A motorcycle learner's permit may be renewed only twice upon payment of a \$24.00 fee. An unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 and an individual under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall not be charged a fee for the renewal of a motorcycle learner's permit.

\* \* \*

(d)(1) An applicant shall pay \$24.00 to the Commissioner for each learner's permit or a duplicate or renewal thereof.

(2) An unaccompanied youth who has obtained a certification pursuant to 33 V.S.A. § 4908 and an applicant under 23 years of age who was in the care and custody of the Commissioner for Children and Families pursuant to 33 V.S.A. § 4903(4) in Vermont after attaining 14 years of age shall not be charged a fee for a learner's permit or a duplicate or renewal thereof.

\* \* \*

\* \* \* Transportation of Children \* \* \*

Sec. 9. 33 V.S.A. § 5123 is amended to read:

§ 5123. TRANSPORTATION OF A CHILD

(a) As used in this section:

(1) "Least restrictive" has the same meaning as in section 5130 of this chapter.

(2) "Mechanical restraint" has the same meaning as in section 5130 of this chapter.

(3) "Physical restraint" has the same meaning as in section 5130 of this chapter.

(4) “Secure transport” means transport in a vehicle with disabled internal controls for rear door handles and window switches, requiring the driver to open them from the outside, or with a safety partition installed to separate the driver from the passenger compartment. “Secure transport” includes any vehicle being driven by a law enforcement officer.

(5) “Soft restraint” has the same meaning as in section 5130 of this chapter.

(6) “Waist shackles” means a mechanical restraint device, typically a chain, used around the waist and to which the child’s wrists may be chained or cuffed.

(b) The Commissioner for Children and Families shall ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort a child subject to this chapter in a manner that:

- (1) ~~reasonably avoids~~ prevents physical and psychological trauma;
- (2) respects the privacy of the child; and
- (3) represents the least restrictive means necessary for the safety of the child.

~~(b)(c)~~ (c) The Commissioner for Children and Families shall have the authority to select the person or persons who may transport a child under the Commissioner’s care and custody designate the professional or law enforcement officers transporting children and shall authorize the method of transport. A contract for transportation services shall include the requirements in this section. Transportation services with noncontracted law enforcement officers shall only be authorized in emergency situations or by court order.

~~(e)(d)~~ (d) The Commissioner shall ensure supervisory review of every decision to transport a child using mechanical restraints. When transportation with restraints for a particular child is approved, the reasons for the approval shall be documented in writing provide education materials complying with this section that outline the legal requirements for the secure transportation of children to individuals designated pursuant to subsection (c) of this section and shall obtain verification that all designated individuals have reviewed the education materials.

~~(d)(e)~~ (e) Secure transport shall only be used when the Department determines and documents why it is necessary to prevent the risk of serious physical harm to the child or others, based upon an individualized risk assessment.

~~(e)(f)~~ (f) It is the policy of the State of Vermont that mechanical restraints are not routinely used on children subject to this chapter unless circumstances dictate that such methods are necessary. Soft mechanical restraints shall be the

first option for restraint, and other mechanical restraints shall not be utilized as a substitute for soft restraints if the soft restraints are deemed adequate for safety.

(g) An entity contracted pursuant to subsection (c) of this section shall provide documentation to the Department for the use of restraints when:

(1) the entity believes that the risk of serious physical harm to the child or others requires the use of soft restraints before or during the transport, including a description as to why less restrictive interventions could not reasonably be attempted or why the attempted use of less restrictive interventions was unsuccessful;

(2) the entity believes that the risk of serious physical harm to the child or others was such that soft restraints were not adequate for safety and shall include a description as to which restraint was used and why soft restraints were deemed inadequate for preventing the risk of serious physical harm to the child or others; or

(3) the use of waist shackles was determined to be the sole means of preventing serious physical harm to the child or others and shall include a description as to why waist shackles were the sole means of preventing the risk of serious physical harm to the child or others.

(h) Documentation for the use of restraints shall be completed prior to transport unless the circumstances that required their use occurred during the course of the transport, in which case the documentation shall occur after completion of the transport.

(i) The use of waist shackles shall be prohibited on children 12 years of age or younger. The use of waist shackles on children 13 years of age or older shall be assessed and determined to be the sole means of preventing serious physical harm to the child or others and documented accordingly. Only designated law enforcement agencies shall use waist shackles on a child transported pursuant to this section.

(j) The Commissioner shall ensure supervisory review by the Department of all documentation required by this section.

(k)(1) Annually, on or before January 15, the Department for Children and Families shall submit a written report to the House Committee on Human Services; the Senate Committee on Health and Welfare; and the Office of the Child, Youth, and Family Advocate addressing the number of secure transports of children during the previous year, including, for those transported with restraints:

(A) the age, gender, and racial background of the children transported;

(B) the number of children transported using mechanical restraints;

(C) whether the transport was conducted by law enforcement or a private agency;

(D) when applicable, the type of mechanical restraint;

(E) the type of custody children were in when transport occurred;  
and

(F) the purpose of the transport.

(2) Once the Department has upgraded its technological capacity in a manner that enables it to collect responsive data, information specific to subdivisions (1)(B), (C), (E), and (F) of this subsection shall be collected and included in the annual report with regard to all secure transports.

(1) Annually, on or before January 15, the Department of State's Attorneys and Sheriffs shall submit a written report to the House Committee on Human Services; the Senate Committee on Health and Welfare; the Department for Children and Families; and the Office of the Child, Youth, and Family Advocate addressing the number of secure transports of minors during the previous year:

(1) the age, gender, and racial background of the minors transported;

(2) the number of minors transported using mechanical restraints;

(3) when applicable, the type of mechanical restraint;

(4) the type of custody minors were in when transport occurred; and

(5) the purpose of the transport.

#### Sec. 10. REPORT; RESTRAINT IN TRANSPORTATION

##### OF CHILDREN

(a) On or before December 15, 2027, the Department for Children and Families shall submit a written report to the House Committee on Human Services and to the Senate Committee on Health and Welfare addressing how the Department is effectuating the policies set forth in 33 V.S.A. § 5123(d) and 2017 Acts and Resolves No. 85, Sec. E.314, including:

(1) contracting with law enforcement or private agencies for the transport of children;

(2) Departmental oversight and supervisory review of the secure transport of children, including transport provided by private agencies or law enforcement officers;

(3) the mechanism used by the Department to collect and review data on the application of mechanical restraints during the transport of children in compliance with 33 V.S.A. § 5123(c);

(4) materials and requirements for designated contractors;

(5) written policies used to effectuate the law; and

(6) other information the Department deems relevant.

(b) As used in this section, “restraint” has the same meaning as in 33 V.S.A. §5130.

#### Sec. 11. USE OF FORCE POLICY

The Vermont Criminal Justice Council, in consultation with the Department of Vermont State’s Attorneys and Sheriffs; the Office of the Child, Youth, and Family Advocate; Disability Rights Vermont; and the Departments for Children and Families and of Disabilities, Aging, and Independent Living shall conduct a formal review to determine whether its use of force policy should include an appendix to adequately address the transportation by law enforcement of children under 18 years of age that is in alignment with the public policy considerations for the transport of children in the custody of the Department for Children and Families pursuant to 33 V.S.A. § 5123.

\* \* \* Restraint and Seclusion \* \* \*

Sec. 12. 33 V.S.A. § 5130 is added to read:

#### § 5130. NON-TRANSPORT RELATED RESTRAINT AND SECLUSION

(a) As used in this section:

(1) “Chemical restraint” means any medication used to manage behavior or restrict freedom of movement that is not a standard treatment or dosage for the individual’s condition.

(2) “Child” or “children” means a child or children in the Department’s custody or receiving care or services in a program regulated or licensed by the Department.

(3) “Mechanical restraint” means a type of restraint using a mechanical device, material, or equipment, or garment attached to the child’s body, that restricts freedom of movement or immobilizes or reduces the ability of a child to move the child’s arms, legs, body, or head freely.

(4) “Physical restraint” means a type of restraint using a manual or physical hold that restricts freedom of movement or immobilizes or reduces the ability of a child to move the child’s arms, legs, body, or head freely. A physical restraint shall not include a light touch to encourage a response or to provide direction or guidance, provided the child is able to move away freely.

(5) “Prone restraint” means a physical intervention technique where an individual is held face down on the individual’s stomach. “Prone restraint” does not include a physical restraint that involves a momentary initial hold in a prone position while transitioning to an evidence-based, safer form of restraint that is not considered to be a prohibited form of physical restraint.

(6) “Seclusion” means involuntary confinement of a child in a segregated room or area from which the child is prevented or from which the child reasonably believes that the child is prevented from leaving, whether the door is locked or not. “Seclusion” does not include a voluntary time out under staff supervision for a short period of time in an unlocked room at the child’s request.

(7) “Strip search” means a search that requires a child to remove or arrange some clothing so as to permit a visual inspection of the child’s breasts, buttocks, or genitalia. “Strip search” does not include a pat down through the child’s clothing to determine whether contraband is present.

(8) “Least restrictive” means the minimum intervention necessary to prevent harm to the child or to another, maximizing a child’s autonomy, ensuring that restrictions are proportionate to the risk of harm, and ensuring involuntary measures are only permitted as a last resort when less intrusive methods have failed.

(9) “Soft restraint” means a mechanical restraint device that uses soft material or fabric that is padded and designed to safely fit around the limbs of an individual to limit mobility in order to prevent self-harm or harm to others.

(10) “Secure residential program” means a secure residential treatment program that employs locked or inoperable doors and windows to prevent a child from leaving the building.

(b) The Department shall not use or authorize the use of prone restraints, mechanical restraints, chemical restraints, or strip searches on a child.

(c) Seclusion or physical restraint shall not be used for punishment, disciplinary purposes, the protection of property, or any other reason other than as a safety measure of last resort to prevent a serious and immediate risk of harm to the child or others.

(d) A staff member shall use other less restrictive interventions, unless less restrictive interventions have failed or would be ineffective in stopping imminent danger of physical injury or property damage.

(e) After attempting to use less restrictive interventions, a staff member trained in accordance with rule may physically restrain a child or place a child in seclusion if the staff member:

(1) determines that the child's behavior poses a serious and immediate risk of physical harm to the child or others;

(2) conducts the physical restraint or seclusion in a manner that respects the child's privacy and limits physical and psychological trauma; and

(3) after initiation of the intervention, explains to the child the reasons for the physical restraint or seclusion and informs the child of the circumstances that allow release from the physical restraint or seclusion.

(f) If a child is placed in physical restraint or seclusion pursuant to subsection (e) of this section, the child shall be released immediately when there is no longer a serious and immediate risk of physical harm to the child or others.

(g)(1) Restraint or seclusion lasting more than 10 minutes shall require supervisory approval and oversight. Restraint or seclusion lasting more than 30 minutes require clinical and administrative consultation, approval, and oversight. A child shall not be held for more than one hour in restraint or seclusion without an in-person assessment by a clinician and authorization by the administrator on duty.

(2) A child in seclusion shall be provided constant uninterrupted supervision by a qualified staff employed by the program who is familiar to the child.

(h) Nothing in this section shall be construed to:

(1) include a locked bedroom during regular sleeping hours in a secure residence as seclusion; or

(2) conflict with any law providing greater or additional protections to minors.

(i) Notice of the use of restraint or seclusion on a child in the Department's custody shall be provided to the Department; the child's parent or guardian; the child's guardian ad litem; and the child's attorney, if applicable, within 24 hours.

(j) The program or staff member using seclusion or restraint shall document its use and provide a copy of each recorded use of seclusion or restraint, including a copy of any audio or visual recording, to the Commissioner. Upon request, the audio or video shall be provided through secure means of transmission and shall include blurring to protect the identity of any other children in the program who are not in custody of the Department. The documentation shall include a description of the child's specific behaviors justifying the use of the intervention. The Department shall forward complete documentation of each use of restraint or seclusion to the Office of the Child, Youth, and Family Advocate within two business days.

(k) The Department shall collect the following data on the use of seclusion and physical restraint, by placement type; program name; and the age, gender, and racial background of the child:

(1) the specific types of the seclusion or physical restraint used; and

(2) the length of time a child was secluded or physically restrained, as applicable.

(l)(1) Prior to contracting with any program for the care of a child in the Department's custody, the Department shall conduct a review of any records, from the prior five years regarding the safety of children in the program's care, including any violations of the program's licensing status and any resulting remediation.

(2) The Department shall remove any Vermont child from risk of harm and shall initiate a search for alternative providers if an out-of-state residential provider is determined to be in violation of the standards in the contract regarding restraint and seclusion or in violation of its state's licensing entity.

(m) Notwithstanding subsection (b) of this section, a child detained in a secure residential program may be restrained with mechanical restraints for a momentary initial hold to enable relocation of the child to a less restrictive method of intervention if necessitated to prevent serious and immediate harm to the child or others, except that under no circumstances shall a garment adjacent to the child's body that restricts freedom of movement or immobilizes or reduces the ability of a child to move the child's arms, legs, body, or head freely be utilized. The procedures and standards established under this section, including notice and reporting requirements, shall apply.

(n) Notwithstanding subsection (b) of this section, a child detained in a secure residential program may be subjected to a strip search if a pat search has led to probable cause to believe that the child has possession of contraband that poses a threat of serious bodily harm to the child or others and the child has refused to voluntarily turn over the contraband. The child shall be given

the opportunity before and at any time after the commencement of a search to voluntarily relinquish the suspected contraband, whereupon the search will be discontinued. Notice and reporting requirements shall be the same as for use of restraint or seclusion under this section. Body cavity searches shall not be permitted under any circumstances.

(o) The Department shall post on the Family Division's scorecard or another prominent location on its website the rates of restraint and seclusion used on children in licensed programs and the number of uses of secure transport and of restraint used during transport. The Department shall update this information at least annually.

(p) The Department shall develop and adopt rules pursuant to 3 V.S.A. chapter 25, in collaboration with the Office of the Child, Youth, and Family Advocate and in consultation with stakeholders implementing this section, including requirements for staff training; standards for supervisory oversight, recordkeeping, and reporting by residential programs; oversight responsibilities of the Department; and any other necessary standards.

Sec. 13. 33 V.S.A. § 5130(1) is amended to read:

(1)(1) Prior to contracting with any program for the care of a child in the Department's custody, the Department shall conduct a review of any records, from the prior five years regarding the safety of children in the program's care, including any violations of the program's licensing status and any resulting remediation.

(2) When contracting with an out-of-state program, the Department shall include a requirement that the program adhere to the provisions of this section.

(3) The Department shall remove any Vermont child from risk of harm and shall initiate a search for alternative providers if an out-of-state residential provider is determined to be in violation of the standards in the contract regarding restraint and seclusion or in violation of its state's licensing entity.

Sec. 14. REPORT; CHILDREN IN CORRECTIONAL FACILITIES

(a) On or before January 1, 2027, the Departments for Children and Families and of Corrections shall submit a written report to the House Committees on Human Services and on Corrections and Institutions and to the Senate Committees on Health and Welfare and on Institutions regarding the use of restraint and seclusion on minors detained in Department of Corrections' facilities and potential means for reducing physical and psychological trauma from restraint and seclusion. In preparing the required report, the Departments shall consult with a work group composed of the Office of the Child, Youth, and Family Advocate; the Office of the Defender

General, Juvenile Division; Voices for Vermont's Children; the Vermont Federation of Families for Children's Mental Health; Disability Rights Vermont; and a young adult with lived experience of being detained in a Department of Corrections facility, appointed by the Office of the Child, Youth, and Family Advocate.

(b) Members of the work group who are not participating in their professional capacity shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than five meetings. These payments shall be made from monies appropriated to the Office of the Child, Youth, and Family Advocate.

\* \* \* Judicial Review of Placements for Children Previously Under the Custody of the Department for Children and Families \* \* \*

Sec. 15. PROPOSAL TO EXTEND SUPPORTS FOR CHILDREN OVER  
17 YEARS OF AGE

On or before November 1, 2026, the Department for Children and Families shall submit a written report, in consultation with the Judicial Branch, to the House Committee on Human Services and to the Senate Committee on Health and Welfare with recommendations for court oversight processes that meet federal requirements to allow access to federal funds for programs that may support youth up to 21 years of age and that ensures sustainable use of judicial resources. The report shall include any recommendations for legislative action.

\* \* \* Prenatal Engagement and Family Support Working Group \* \* \*

Sec. 16. PRENATAL ENGAGEMENT AND FAMILY SUPPORT  
WORKING GROUP

(a) Creation. There is created the Prenatal Engagement and Family Support Working Group to examine the Department for Children and Families' current practice of using a pregnancy calendar to monitor and track certain pregnant individuals in Vermont and provide recommendations on alternatives to a pregnancy calendar and ways to support pregnant individuals in need of services.

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

(1) the Deputy Commissioner of the Family Services Division of the Department for Children and Families;

(2) the Vermont Child, Youth, and Family Advocate or designee;

- (3) the Executive Director of Vermont Family Network or designee;
  - (4) the Executive Director of Vermont Legal Aid or designee;
  - (5) the President of Planned Parenthood of Northern New England or designee;
  - (6) the Executive Director of the Vermont Parent Representation Center or designee;
  - (7) the Executive Director of Recovery Partners Vermont or designee;
  - (8) the Executive Director of Voices for Vermont's Children or designee;
  - (9) the Director of the Department of Health's Maternal and Child Health Division or designee;
  - (10) a representative, appointed by Children of Recovering Mothers' Team at the Kidsafe Collaborative;
  - (11) the Director of the Office of the Defender General's Juvenile Division or designee;
  - (12) an individual with lived experience of being monitored by the Department while pregnant, appointed by the Speaker of the House; and
  - (13) an individual with lived experience of being monitored by the Department while pregnant, appointed by the Senate Committee on Committees.
- (c) Powers and duties. The Working Group shall study the Department for Children and Families' current practice of using a pregnancy calendar to monitor and track certain pregnant individuals in Vermont and provide recommendations on alternatives to a pregnancy calendar and ways to support pregnant individuals in need of services.
- (d) Assistance. For the purposes of scheduling meetings and providing administrative assistance, the Working Group shall have the assistance of the Department for Children and Families.
- (e) Report. On or before November 15, 2026, the Working Group shall submit a written report to the House Committee on Human Services, the Senate Committee on Health and Welfare, and the House and Senate Committees on Judiciary with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The Vermont Child, Youth, and Family Advocate or designee shall call the first meeting of the Working Group to occur on or before August 1, 2026.

(2) The Working Group shall select a chair from among its members at the first meeting.

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

(4) The Working Group shall cease to exist on February 1, 2027.

(g)(1) Compensation and reimbursement. Members of the Working Group who are not otherwise compensated for attendance at meetings shall be entitled to per diem compensation and expenses as permitted under 32 V.S.A. § 1010 for not more than five meetings.

(2) Members of the Working Group who are not participating in their professional capacity shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more than five meetings. These payments shall be made from monies appropriated to the Department for Children and Families.

\* \* \* Effective Dates \* \* \*

Sec. 17. EFFECTIVE DATES

(a) This section and Sec. 10 (report; restraint in transportation), Sec. 11 (use of force policy), Sec. 14 (report; children in correctional facilities), and Sec. 15 (proposal to extend supports for children over 17 years of age) shall take effect on passage.

(b) Sec. 9 (transportation of a child) and Sec. 12 (restraint and seclusion) shall take effect on January 1, 2027.

(c) Sec. 2 (33 V.S.A. § 4902) and Sec. 3 (33 V.S.A. § 4907) shall take effect on July 1, 2027.

(d) Sec. 13 (33 V.S.A. § 5130(l)) shall take effect on July 1, 2028.

(e) All remaining sections shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: “An act relating to various programming and requirements within the Department for Children and Families”

**Rep. Waszazak of Barre City**, for the Committee on Ways and Means, recommended the bill ought to pass when amended as recommended by the Committee on Human Services.

**Rep. Bluemle of Burlington**, for the Committee on Appropriations, recommended the bill ought to pass when amended as recommended by the Committee on Human Services.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be amended as recommended by the Committee on Human Services?, **Reps. McGill of Bridport, Bishop of Colchester, Cole of Hartford, Donahue of Northfield, Eastes of Guilford, Garofano of Essex, Maguire of Rutland City, Noyes of Wolcott, and Wood of Waterbury** moved to amend the report of the Committee on Human Services, as follows:

First: By striking out Sec. 4, 33 V.S.A. § 4908, in its entirety and inserting in lieu thereof a new Sec. 4 to read as follows:

Sec. 4. 33 V.S.A. § 4908 is added to read:

§ 4908. UNACCOMPANIED YOUTH

(a) Legislative intent. In instances in which severe family dysfunction such as abuse, neglect, child abandonment, or lack of financial support has left a youth who is 16 or 17 years of age homeless, and other supports such as foster care are deemed inappropriate, it is the intent of the General Assembly to provide an unaccompanied youth with the resources necessary to obtain services and benefits that the unaccompanied youth's peers can obtain with the consent of a parent or guardian.

(b) Definitions. As used in this section:

(1) "Homeless child or youth" means an individual who lacks a fixed, regular, and adequate nighttime residence, including:

(A) a child or youth sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

(B) a child or youth living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

(C) a child or youth living in emergency or transitional shelters;

(D) a child or youth abandoned in hospitals;

(E) a child or youth living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(F) a child or youth living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or

(G) a migratory child who qualifies as homeless because the child is living in the circumstances described in this subdivision (1).

(2) "School district homeless liaison" means an employee designated by a school district to act as a liaison for homeless children and youths.

(3) "Unaccompanied youth" means a homeless child or youth 16 or 17 years of age who is not in the physical custody of a parent or guardian.

(c) Certification. An unaccompanied youth may become certified if the youth is:

(1) found by a school district homeless liaison or other appropriate staff person to be an unaccompanied youth; or

(2) believed to qualify as an unaccompanied youth, by:

(A) the director of an emergency shelter program funded by the State;

(B) the director of a runaway or homeless youth program funded by the U.S. Department of Health and Human Services or the U.S. Department of Housing and Urban Development or designee;

(C) a continuum of care lead agency or designee;

(D) the Chief Juvenile Defender or designee; or

(E) the Vermont Network Against Domestic and Sexual Violence or designee.

(d) Proof of certification.

(1)(A) Elevate Youth Services' Vermont Coalition of Runaway and Homeless Services shall develop a standardized form that shall be used by the entities specified in subsection (c) of this section to certify qualifying unaccompanied youths. The front of the form shall include the circumstances that qualify the youth; the date the youth was certified; the name, title, and signature of the certifying individual; and confirmation from the certifying individual that the individual has completed a human trafficking training in the past two years. This section shall be reproduced in its entirety on the back of the form.

(B) The Department shall post the certification form and information about this section on its website, including who is eligible for certification and which individuals and entities can complete the certification form pursuant to this section.

(2) Without the consent of a parent or guardian, a certified unaccompanied youth may use the completed form to:

(A) apply at no charge for a nondriver identification card pursuant to 23 V.S.A. § 115, a learner's permit pursuant to 23 V.S.A. § 617, or an operator's license or operator's privilege card pursuant to 23 V.S.A. § 608;

(B) obtain a vital event certificate at no charge pursuant to 18 V.S.A. § 5017;

(C) consent to care by health care professionals licensed or certified in Vermont, including medical care; dental care; mental health care services, including psychological counseling and treatment, psychiatric treatment, and substance use prevention and treatment services; and surgical diagnosis and treatment, including medical diagnosis and treatment, such as preventive care and care provided in a health care facility, as defined in 18 V.S.A. § 9432, for:

(i) the youth; or

(ii) the youth's child, if the certified unaccompanied youth is unmarried, is the parent of the child, and has actual custody of the child;

(D) enter into a contract for housing or obtain admission to a shelter or transitional housing;

(E) obtain employment, pursuant to 21 V.S.A. chapter 5, subchapter 4;

(F) purchase an automobile and obtain an automobile liability policy that meets the requirements of 23 V.S.A. chapter 11;

(G) apply for a student loan;

(H) obtain admission to high school or postsecondary school and participate in school activities, including extracurricular activities and field trips;

(I) open an account at a State- or federally chartered bank or credit union; and

(J) receive services for victims of domestic or sexual violence, as appropriate.

(e) Use of certification form. A health care professional shall accept the completed form as proof of the youth's status as a certified unaccompanied youth. Entities that provide housing, services, or benefits authorized under this section may keep a copy of the form or card in the youth's medical file.

(f) Consent of a parent or guardian.

(1) A certification issued pursuant to subsection (c) of this section shall authorize an unaccompanied youth to obtain benefits and services listed in subsection (d) of this section. A person, provider, or health care professional shall not require the consent of a parent or guardian as a condition of providing a benefit or service authorized under subsection (d) of this section.

(2) For the purposes of implementing subdivision (d)(2)(I) of this section, the Commissioner of Financial Regulation shall ensure that minimum youth certification requirements are met for the purpose of making it legally permissible for a bank, credit union, or insurance company to contract with an unaccompanied youth without the consent of a parent or guardian and with the understanding that the unaccompanied youth may not have a permanent physical address.

(g) Immunity from liability. Any entity, provider, or health care professional who contracts with an unaccompanied youth pursuant to this section shall be immune from liability for the determination to contract with a minor, unless the entity, provider, or health care professional acted with gross negligence.

(h) Applicability of Compact. Nothing in this section shall be construed as altering the Interstate Compact for Juveniles.

Second: In Sec. 4a, 13 V.S.A. § 1311, in subsection (c), by striking out subdivision (3) in its entirety and inserting in lieu thereof a new subdivision (3) to read as follows:

(3) actions authorized under 33 V.S.A. § 4908.

Third: In Sec. 9, 33 V.S.A. § 5123, in subsection (f), in the second sentence, by striking out the phrase “Soft mechanical restraints” and inserting in lieu thereof “Soft restraints”

Fourth: In Sec. 9, 33 V.S.A. § 5123, by striking out subsection (l) in its entirety and inserting in lieu thereof a new subsection (l) to read as follows:

(l) Annually, on or before January 15, the Department of State’s Attorneys and Sheriffs shall submit a written report to the House Committee on Human Services; the Senate Committee on Health and Welfare; the Department for Children and Families; and the Office of the Child, Youth, and Family Advocate addressing the number of court-ordered transports of minors conducted by the State transport deputies pursuant to 24 V.S.A. § 290(b) during the previous year, including:

(1) the date of birth of transported minors;

- (2) whether restraint was used during transport;
- (3) if restraint was used, the type of restraint;
- (4) whether the minor's case was a delinquency, youthful offender, or criminal proceeding; and
- (5) the purpose of the transport.

Which was agreed to. Thereupon, the report of the Committee on Human Services, as amended, was agreed to and third reading ordered.

**Rep. Houghton of Essex Junction** presiding.

**Committee Bill; Favorable Report; Second Reading; Bill Amended;  
Third Reading Ordered**

**H. 938**

**Rep. Maguire of Rutland City** spoke for the Committee on Human Services.

House bill, entitled

An act relating to establishing the Vermont Homelessness Response Continuum

**Speaker** presiding.

**Rep. Bluemle of Burlington**, for the Committee on Appropriations, recommended that the bill ought to pass.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be read a third time?, **Reps. Wood of Waterbury, Bishop of Colchester, Cole of Hartford, Eastes of Guilford, Garofano of Essex, Maguire of Rutland City, McGill of Bridport, and Noyes of Wolcott** moved to amend the bill in Sec. 14, expenditures; Vermont Homelessness Response Continuum, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) This act provides for the fiscal year 2027 expenditure of \$82,634,153.00 for the provision of services, implementation of the Vermont Homelessness Response Continuum, shelter development and operation, rental assistance, and supportive services, including case management, as follows:

(1) \$39,284,606.00 for the Housing Opportunity Grant Program operations, of which \$38,251,696.00 is base funding from the General Fund, \$830,422.00 is federal funding, and \$202,488.00 is from the Global Commitment Fund;

(2) \$4,400,000.00 for the shelter development, of which \$1,400,000.00 is base funding from the General Fund and \$3,000,000.00 is one-time funding from the General Fund;

(3) \$23,870,000.00 for emergency housing in hotels and motels, of which \$9,751,120.00 is base funding from the General Fund and \$14,118,880.00 is one-time funding from the General Fund;

(4) \$2,400,000.00 for case management, of which \$2,400,000.00 is base funding from the General Fund;

(5) \$4,200,000.00 for permanent supportive housing and family supportive housing, of which \$778,987.00 is base funding from the General Fund and \$3,421,013.00 is from the Global Commitment Fund;

(6) \$3,000,000.00 for rental assistance, of which \$3,000,000.00 is base funding from the General Fund;

(7) \$500,000.00 for grants to municipalities, of which \$500,000.00 is one-time funding from the General Fund;

(8) \$1,500,000.00 for emergency cold weather shelters, of which \$1,500,000.00 is one-time funding from the General Fund;

(9) \$314,618.00 for other expenses, of which \$314,618.00 is from federal funding; and

(10) \$3,164,929.00 for staffing, grants, and contracts, of which \$1,100,000.00 is base funding from the General Fund and \$2,064,929.00 is one-time funding from the General Fund.

Which was agreed to.

Pending the question, Shall the bill be read a third time?, **Rep. Wood of Waterbury** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be read a third time?, was decided in the affirmative. Yeas, 133. Nays, 4.

Those who voted in the affirmative are:

Arsenault of Williston  
Austin of Colchester  
Bartholomew of Hartland  
Bartley of Fairfax

Feltus of Lyndon  
Galfetti of Barre Town  
Garofano of Essex  
Goldman of Rockingham

Morgan, L. of Milton  
Morgan, M. of Milton  
Morris of Springfield  
Morrissey of Bennington

Berbeco of Winooski	Goodnow of Brattleboro	Morrow of Weston
Birong of Vergennes	Goslant of Northfield	Mrowicki of Putney
Bishop of Colchester	Graning of Jericho	Nelson of Derby
Black of Essex	Greer of Bennington	Nigro of Bennington
Bluemle of Burlington	Hango of Berkshire	North of Ferrisburgh
Bosch of Clarendon	Harple of Glover	Noyes of Wolcott
Bos-Lun of Westminster	Harvey of Castleton	Nugent of South Burlington
Boutin of Barre City	Headrick of Burlington	O'Brien of Tunbridge
Boyden of Cambridge	Higley of Lowell	Ode of Burlington
Brady of Williston	Holcombe of Norwich	Oliver of Sheldon
Branagan of Georgia	Hooper of Randolph	Olson of Starksboro
Brigham of St. Albans Town	Houghton of Essex Junction	Page of Newport City
Brown of Richmond	Howard of Rutland City	Parsons of Newbury
Burditt of West Rutland	Howland of Rutland Town	Pezzo of Colchester
Burke of Brattleboro	Hoyt of Hartford	Pinsonault of Dorset
Burkhardt of South Burlington	Hunter of Manchester	Pouech of Hinesburg
Burrows of West Windsor	James of Manchester	Powers of Waterford
Burt of Cabot	Kascenska of Burke	Priestley of Bradford
Campbell of St. Johnsbury	Keyser of Rutland City	Pritchard of Pawlet
Canfield of Fair Haven	Kimbell of Woodstock	Quimby of Lyndon
Casey of Montpelier	Kleppner of Burlington	Rachelson of Burlington
Charlton of Chester	Kornheiser of Brattleboro	Satcowitz of Randolph
Cina of Burlington	Krasnow of South Burlington	Sheldon of Middlebury
Coffin of Cavendish	Labor of Morgan	Sibilia of Dover
Cole of Hartford	Lalley of Shelburne	Southworth of Walden
Conlon of Cornwall	LaLonde of South Burlington	Squirrell of Underhill
Cooper of Pownal	Lipsky of Stowe	Stevens of Waterbury
Corcoran of Bennington	Logan of Burlington	Stone of Burlington
Critchlow of Colchester	Long of Newfane	Sweeney of Shelburne
Demar of Enosburgh	Lueders of Lincoln	Tagliavia of Corinth
Dickinson of St. Albans Town	Maguire of Rutland City	Taylor of Milton
Dobrovich of Williamstown	Malay of Pittsford	Taylor of Mendon
Dodge of Essex	Marcotte of Coventry	Tomlinson of Winooski
Dolan of Essex Junction	Masland of Thetford	Torre of Moretown
Dolgin of St. Johnsbury	McCann of Montpelier	Walker of Swanton
Donahue of Northfield	McCoy of Poultney	Waszazak of Barre City
Duke of Burlington	McFaun of Barre Town	Waters Evans of Charlotte
Durfee of Shaftsbury	McGill of Bridport	Wells of Brownington
Eastes of Guilford	Mihaly of Calais	White of Waitsfield
Emmons of Springfield	Minier of South Burlington	Wood of Waterbury
		Yacovone of Morristown

Those who voted in the negative are:

Laroche of Franklin	Nielsen of Brandon
Luneau of St. Albans City	Steady of Milton *

Those members absent with leave of the House and not voting are:

Bailey of Hyde Park	Chapin of East Montpelier	Micklus of Milton
Carris Duncan of Whitingham	Christie of Hartford	Scheu of Middlebury
Casey of Hubbardton	Gregoire of Fairfield	White of Bethel
	LaMont of Morristown	Winter of Ludlow

**Rep. Steady of Milton** provided the following vote explanation:

“Madam Speaker:

While I am concerned about the \$82 million cost related to H.938, the Governor has approved this amount. However, there are some pieces in the bill that could use a bit of tweaking. So, when the bill comes back from the Senate, I could possibly change my mind.”

#### **Recess**

At one o'clock in the afternoon, the Speaker declared a recess until the fall of the gavel.

At one o'clock and forty-eight minutes in the afternoon, the Speaker called the House to order.

#### **Third Reading; Bill Passed**

##### **H. 944**

House bill, entitled

An act relating to the fiscal year 2027 Transportation Program and miscellaneous changes to laws related to transportation

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

#### **Second Reading; Bill Amended; Third Reading Ordered**

##### **H. 727**

**Rep. Sibilia of Dover**, for the Committee on Energy and Digital Infrastructure, to which had been referred House bill, entitled

An act relating to sustainable data center deployment

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. 30 V.S.A. chapter 5, subchapter 3 is added to read:

Subchapter 3. Data Centers

§ 281. SHORT TITLE

This subchapter shall be known and may be cited as the “Vermont Sustainable Data Centers Act.”

§ 282. PURPOSE

The purpose of this subchapter is to establish a regulatory framework that ensures responsible growth of an emerging industry in a manner that protects existing electric ratepayers from unwarranted costs and promotes sustainable climate, environmental, community, and equity outcomes consistent with State policies.

§ 283. DEFINITIONS

As used in this subchapter:

(1) “Data center” means a facility that uses or is able to use 20 megawatts or more of power and is engaged in providing data processing, hosting, and related services as described under code 518210 of the 2022 North American Industry Classification System.

(2) “Facility” means all buildings, equipment, structures, and other stationary items that are located on a single site or on contiguous or adjacent sites and that are owned or operated by the same person or by any person that controls, is controlled by, or is under common control with such person.

§ 284. LARGE LOAD SERVICE EQUITY CONTRACT; APPROVAL

(a) For the purpose of ensuring just and reasonable rates for all ratepayer classes and mitigating the risk of financial exposure to electric distribution companies and their existing ratepayers, a data center shall be served by an electric company pursuant to a large load service equity contract approved by the Public Utility Commission.

(b) The large load service equity contract shall:

(1) include a method for allocating costs that is equal or proportional to the costs of providing electric service to the data center, including providing for equitable contributions to the embedded costs and the efficiency, reliability, and resiliency of the electricity network;

(2) mitigate the risk of other ratepayer classes paying unwarranted costs, including any electric generation, distribution, and transmission infrastructure costs incurred to meet the load requirements of a data center or the energy

capacity, transmission, or resource adequacy costs incurred as a result of the data center's load;

(3) specify the duration of the contract and the date or the estimated date that the electric company will begin to provide electric service to the data center;

(4) obligate the data center to pay a minimum amount or percentage based on the data center's projected electricity usage for the duration of the contract to ensure compliance with subdivision (1) of this subsection;

(5) include a reasonable charge for demand in excess of the data center's projected electricity demand at the time the contract is entered into;

(6) include a collateral requirement sufficient to mitigate the risk of stranded costs;

(7) include provisions requiring implementation of demand-side management operational measures for the purpose of maintaining grid stability and efficiency, including demand response and flexible load management practices, such as load shifting, peak shaving, and the use of distributed energy resources;

(8) include provisions for the collection of gross receipts taxes, energy efficiency charges, and any other fees or charges that may be applicable to electricity revenues; and

(9) meet any other terms or conditions required by the Commission that are consistent with the purpose of this section and in the public interest.

(c) The Commission shall not approve a large load service equity contract unless the Commission first finds that the same will promote the general good of the State.

(d) Before the Commission approves a large load service equity contract as required under this section, the Commission shall find that the terms of the contract:

(1) will not adversely affect the efficiency, reliability, and resilience of the electric power system;

(2) will result in an economic benefit to the State and its residents;

(3) are consistent with the principles for resource selection expressed in the applicable electric distribution company's approved least-cost integrated plan;

(4) are consistent with the Electrical Energy Plan approved by the Department under section 202 of this title, or that there exists good cause to permit a variance;

(5) will ensure that the data center will be served economically by existing or planned transmission facilities without undue adverse effect on Vermont utilities or other retail ratepayer classes; and

(6) are consistent with environmental justice and equity policy as established pursuant to 3 V.S.A. chapter 72.

(e) A data center shall not be eligible to participate in an energy savings account or a customer credit program pursuant to subdivision 209(d)(3)(C) of this title, or a self-managed energy efficiency program pursuant to subsection 209(j) of this title.

#### § 285. ENERGY EFFICIENCY DESIGN

Early in the design development phase of a data center, the owner or operator of a data center shall consult with the efficiency utility appointed by the Public Utility Commission under subdivision 209(d)(2)(A) of this title to ensure compliance with State energy efficiency requirements and best practices.

#### § 286. QUARTERLY AND ANNUAL REPORTS

(a) Data center. Within three months after a data center becomes operational, and in a form and manner determined by the Commission, the data center shall begin submitting quarterly reports to the Commission and the Department of Public Service. Each quarterly report shall include the data center's water and energy usage, including its peak usage per day, and an itemization of the data center's payments toward shared infrastructure constructed to support the data center.

(b) Department. Annually, beginning on or before January 15, 2028, and provided at least one data center has entered into a large load service equity contract pursuant to this subchapter, the Commissioner of Public Service shall include in the Department's annual report published pursuant to subsection 202b(e) of this title findings and recommendations related to the energy, environmental, and economic impacts of data center construction and operation in Vermont, as well as any impactful developments within the region, including any benefits to all ratepayers from electric infrastructure projects undertaken to provide power to one or more data centers.

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§ 287. RULES

In addition to the rules required by this subchapter, the Commission may adopt any other rules it deems necessary to implement and enforce the provisions of this subchapter consistent with its purpose and in the public interest.

Sec. 2. APPLICATION

30 V.S.A. chapter 5, subchapter 3 (established in Sec. 1 of this act) shall apply to any data center not operational on the effective date of this act and to any smaller, traditional data center operational on the effective date of this act to the extent such data center seeks to expand its capacity and meet the threshold requirements of Sec. 1, 30 V.S.A. § 283(1).

Sec. 3. 10 V.S.A. § 6001 is to read:

§ 6001. Definitions

As used in this chapter:

\* \* \*

(3)(A) “Development” means each of the following:

\* \* \*

(xiv) The construction of improvements on a tract or tracts of land for a data center as defined in 30 V.S.A. § 283(1).

Sec. 4. 10 V.S.A. § 6086a is added to read:

§ 6086a. WATER USE; COOLING; PERMITTING; QUALITY

(a) As used in this section:

(1) “Closed-loop cooling system” means a sealed cooling process in which the same water or coolant circulates continuously within a data center’s cooling system without withdrawal of water from municipal public water supplies, groundwater, or surface water and without discharge of wastewater to municipal wastewater systems, groundwater, or surface waters, except for de minimis discharges authorized under a discharge permit issued by the Agency of Natural Resources.

(2) “Data center” has the same meaning as in 30 V.S.A. § 283(1).

(3) “Per- and polyfluoroalkyl substances” or “PFAS” means any chemical substance or mixture containing a chemical substance that structurally contains at least one of the following three substructures:

(A) R-(CF<sub>2</sub>)-CF(R’)R”, where both the CF<sub>2</sub> and CF moieties are saturated carbons;

(B) R-CF2OCF2-R', where R and R' can either be F, O, or saturated carbons; or

(C) CF3C(CF3)R'R'', where R' and R'' can either be F or saturated carbons.

(b)(1) A data center shall identify to the District Commission reviewing the data center's application for a permit under 10 V.S.A. chapter 151 how the data center will cool the facility.

(2) If water is used to cool a data center, the data center shall use a closed-loop cooling system to minimize impacts to the quality and quantity of surface water and groundwater unless a District Commission, during review of a permit application under 10 V.S.A. chapter 151, determines that the use of a closed-loop cooling system is not feasible at the proposed data center.

(3) If water is used to cool a data center through a closed-loop cooling system or through another type of cooling system, a data center shall identify where the data center will obtain water to cool the facility and where the cooling water will be discharged.

(c) If a data center proposes to use groundwater to cool the data center, the data center shall obtain a groundwater withdrawal permit under 10 V.S.A. § 1418 for any withdrawal of groundwater by the data center notwithstanding the permitting threshold of withdrawal of more than 57,600 gallons of groundwater a day. A closed-loop cooling system is not exempt from the groundwater withdrawal permit under 10 V.S.A. § 1418(b)(6).

(d) If a data center proposes to use surface water to cool the facility, the data center shall obtain a surface water withdrawal permit pursuant to 10 V.S.A. § 1043. The rules adopted by the Secretary to implement 10 V.S.A. § 1043 shall require a data center to cease withdrawals under drought conditions.

(e)(1) A data center shall obtain all applicable water quality and water resource protection permits from the Agency of Natural Resources, including stormwater, shoreland, stream alteration, direct discharge, surface water withdrawal, groundwater withdrawal, wetland, and river corridor development permits.

(2) A data center shall obtain from the Agency of Natural Resources a water quality certificate that meets the same criteria that the Agency requires to be met to obtain a federal Clean Water Act Section 401 water quality certification as those criteria existed under the Act, 33 U.S.C. §§ 1251–1388, and any regulations adopted thereunder on January 1, 2026.

(f) A data center that discharges wastewater into a surface water of the State shall identify PFAS that may be used in the operation and submit a plan to the Agency of Natural Resources establishing a program that monitors the wastewater discharge from the data center, including monitoring for the presence of PFAS. The monitoring plan shall be approved by the Agency upon a determination that it meets the Vermont water quality standards.

(g) The addition of PFAS to water discharged from a data center shall be prohibited in Vermont.

Sec. 5. REPORT ON REGIONAL RENEWABLE ENERGY MARKET  
CONDITIONS; PUBLIC UTILITY COMMISSION

(a) On or before January 15, 2027, the Public Utility Commission shall prepare a written report on projected regional renewable electric generation market conditions. In developing the report, the Commission shall examine the cost and availability of new regional renewable electric generation resources during the years 2027 through 2035.

(b) In preparing the report, the Commission shall provide an opportunity for written input from interested stakeholders, including retail electricity providers, renewable energy developers, regional transmission organizations, consumer advocates, and any other members of the public. In addition, the Commission may consult with the Department of Public Service and other relevant state, regional, or federal entities, as the Commission deems appropriate. Preparation of the report is not subject to the contested case procedures established under 3 V.S.A. chapter 25.

(c) The Commission shall submit the report to the House Committee on Energy and Digital Infrastructure and the Senate Committees on Finance and on Natural Resources and Energy.

Sec. 6. RECOMMENDATION ON DATA CENTER DECOMMISSIONING

(a) The Commissioner of Public Service, in consultation with the Secretary of Natural Resources, the Chair of the Land Use Review Board, and any other interested stakeholders deemed appropriate by the Commissioner, shall recommend a regulatory model for data center decommissioning. As used in this section, "data center" has the same meaning as in Sec. 1, 30 V.S.A. § 283(1), of this act.

(b) The recommended regulatory model developed pursuant to this section shall ensure responsible data center decommissioning in a manner that protects and preserves the environment and the public health and welfare. The model shall include standards and procedures that address:

(1) approval of a decommissioning plan by the appropriate regulatory entity;

(2) regulatory oversight of the decommissioning process, including through site visits and inspections;

(3) a bond requirement or other financial assurance to ensure a data center is solely responsible for the costs associated with implementation of an approved decommissioning plan;

(4) guidelines for data sanitization, the physical destruction of highly sensitive storage devices, and a documented chain of custody for information technology assets;

(5) guidelines for environmental compliance, hazardous material handling, environmental remediation, and site restoration;

(6) a timeline for commencing and completing the decommissioning process after the abandonment, closure, destruction, or permanent cessation of operations of a data center; and

(7) any other matters deemed appropriate by the Commissioner.

(c) On or before December 15, 2026, the Commissioner shall submit recommendations for a data center decommissioning regulatory model in the form of draft legislation to the House Committees on Energy and Digital Infrastructure and on Environment and the Senate Committees on Finance and on Natural Resources and Energy.

#### Sec. 7. EFFECTIVE DATE

This act shall take effect on passage.

**Rep. Ode of Burlington**, for the Committee on Ways and Means, recommended that the bill ought to pass when amended as recommended by the Committee on Energy and Digital Infrastructure.

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

**Committee Bill; Second Reading; Bill Amended;  
Third Reading Ordered**

**H. 935**

**Rep. Hango of Berkshire** spoke for the Committee on Government Operations and Military Affairs.

House bill, entitled

An act relating to emergency management

**Rep. Feltus of Lyndon**, for the Committee on Appropriations, recommended that the bill ought to pass when amended as follows:

First: By striking out Sec. 12, Department of Public Safety; Public Safety Communications Task Force; authorization for ongoing expenditure of funds, in its entirety and inserting in lieu thereof a new Sec. 12 to read as follows:

Sec. 12. DEPARTMENT OF PUBLIC SAFETY; PUBLIC SAFETY  
COMMUNICATIONS TASK FORCE; AUTHORIZATION FOR  
ONGOING EXPENDITURE OF FUNDS

(a) The General Assembly authorizes the use of monies appropriated or held in reserve pursuant 2022 Acts and Resolves No. 185, Sec. B.1100, as amended by 2023 Acts and Resolves No. 78, Sec. C.115 and 2023 Acts and Resolves No. 87, Sec. 49, for the Department of Public Safety to procure and implement a multidisciplinary computer-aided dispatch system for public safety communications, subject to the following:

(1) \$2,250,000.00 shall be available for immediate costs associated with establishing the multidisciplinary computer-aided dispatch system and five years of software licensing fees, provided that the Department issues requests for proposal and signs contracts for services on or before January 1, 2027;

(2) \$190,000.00 shall be immediately available for cybersecurity, expanded use of Rapid SOS, and geographic information systems; and

(3) \$4,500,000.00 shall be available incrementally over three years to:

(A) implement and expand the Land Mobile Radio network to include a Statewide conceptual design;

(B) detail designs for one or more proof of concept projects and initially implement pilot projects; and

(C) build out or improve 10 or more Land Mobile Radio sites, including equipment and antenna deployment at existing chosen sites.

(b) Notwithstanding any provisions of 2023 Acts and Resolves No. 78, Sec. C.114 to the contrary, the Public Safety Communications Task Force shall continue in existence until February 15, 2027. The Task Force shall meet as necessary to advise the Department of Public Safety on executing the Task Force recommendations and final design plan. Notwithstanding 2023 Acts and Resolves No. 78, Sec. C.114(d)(3), members of the Task Force shall be entitled to per diem compensation and reimbursement of expenses permitted

under 32 V.S.A. § 1010. These payments shall be made from monies appropriated to the Department of Public Safety.

(c) The Department of Public Safety shall submit written reports to the House Committees on Appropriations and on Government Operations and Military Affairs and the Senate Committees on Appropriations and Government Operations concerning the expenditure of monies pursuant to this section. The Department shall submit the written reports on or before May 1, 2027, January 15, 2028, and January 15, 2029, concerning the expenditures made during each respective reporting period.

(d) After the end of the three-year period described in subdivision (a)(3) of this section, the Department of Public Safety may submit a request to the General Assembly to authorize the use of any remaining monies from the appropriations appropriated or held in reserve pursuant 2022 Acts and Resolves No. 185, Sec. B.1100, as amended by 2023 Acts and Resolves No. 78, Sec. C.115 and 2023 Acts and Resolves No. 87, Sec. 49. Any remaining monies shall not be used by the Department unless authorized by the General Assembly.

Second: By striking out Sec. 13, appropriations, and its reader assistance heading, in their entireties and inserting in lieu thereof new reader assistance headings and three new sections to be Secs. 13, 13a, and 13b to read as follows:

\* \* \* Vermont Language Justice Project;  
Emergency and All-Hazards Media \* \* \*

Sec. 13. EMERGENCY AND ALL HAZARDS MEDIA; LANGUAGE  
ACCESS

The Agency of Administration shall support the creation of State emergency and all-hazards response and preparedness media in 15 languages, including English and American Sign Language, through the Vermont Language Justice Project.

\* \* \* Programs Contingent on Availability of Agency Funds \* \* \*

Sec. 13a. PROGRAMS CONTINGENT ON AVAILABILITY OF AGENCY  
FUNDS

The duty to implement Secs. 2 (Technical Rescue Grant Program) and 13 (emergency and all hazards media; language access) of this act is contingent upon the availability of sufficient funds within the Department of Public Safety and the Agency of Administration to support the programs.

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\* \* \* Appropriation \* \* \*

Sec. 13b. APPROPRIATION

The sum of \$500,000.00 is appropriated from the General Fund to the Department of Public Safety in fiscal year 2027 for the Ready Response Grant Program administered by the Division of Emergency Management.

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

**Bill Amended; Amendments Offered; Third Reading; Bill Passed**

**H. 933**

House bill, entitled

An act relating to miscellaneous administrative and policy changes to the tax laws

Was taken up and, pending third reading of the bill, **Reps. Sibilia of Dover, Burrows of West Windsor, Boutin of Barre City, Carris Duncan of Whitingham, Donahue of Northfield, Lipsky of Stowe, Tomlinson of Winooski, and White of Bethel** moved to amend the bill by striking out Secs. 50–53 (PILOT Special Fund) and their reader assistance heading in their entirety and inserting in lieu thereof new Secs. 50–53 to read as follows:

Sec. 50. [Deleted.]

Sec. 51. [Deleted.]

Sec. 52. [Deleted.]

Sec. 53. [Deleted.]

Which was agreed to.

Thereafter, pending third reading of the bill, **Rep. Tagliavia of Corinth** moved to amend the bill by striking out Sec. 19 (federal tax credit for SGO contributions) in their entirety and inserting in lieu thereof new Sec. 19 to read as follows:

Sec. 19. 2 V.S.A. § 24 is added to read:

§ 24. SCHOLARSHIP GRANTING ORGANIZATIONS

(a) Annually, the General Assembly may elect to participate in the federal tax credit program under 26 U.S.C. § 25F in the following year by enactment of an act.

(b) A legislative enactment made under this section shall identify all qualifying scholarship granting organizations to be listed pursuant to 26 U.S.C. 25F for the following year. The enactment made pursuant to this section shall specify the individual or entity responsible for providing the list of organizations to the U.S. Secretary of Treasury pursuant to 26 U.S.C. 25F(g).

(c) Any election made under 26 U.S.C. § 25F by another State official or entity is void and shall have no effect.

Which was agreed to.

Thereafter, pending third reading of the bill, **Rep. North of Ferrisburgh** moved to amend the bill as follows:

First: By adding a new section to be Sec. 63a to read as follows:

Sec. 63a. 32 V.S.A. § 5830e is amended to read:

§ 5830e. RETIREMENT INCOME; SOCIAL SECURITY INCOME

(a) Social Security income. The portion of federally taxable Social Security benefits excluded from taxable income under subdivision 5811(21)(B)(iv) of this chapter shall be as follows:

(1) For taxpayers whose filing status is single, married filing separately, head of household, or surviving spouse:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to ~~\$55,000.00~~ \$127,000.00, all federally taxable benefits received under the federal Social Security Act shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than ~~\$55,000.00~~ \$127,000.00 but less than ~~\$65,000.00~~ \$137,000.00, the percentage of federally taxable benefits received under the Social Security Act to be excluded shall be proportional to the amount of the taxpayer's federal adjusted gross income over ~~\$55,000.00~~ \$127,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from ~~\$65,000.00~~ \$137,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by \$10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the federally taxable benefits received under the Social Security Act.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than ~~\$65,000.00~~ \$137,000.00, no amount of the federally taxable benefits received under the Social Security Act shall be excluded under this section.

(2) For taxpayers whose filing status is married filing jointly:

(A) If the federal adjusted gross income of the taxpayer is less than or equal to ~~\$70,000.00~~ \$142,000.00, all federally taxable benefits received under the Social Security Act shall be excluded.

(B) If the federal adjusted gross income of the taxpayer is greater than ~~\$70,000.00~~ \$142,000.00 but less than ~~\$80,000.00~~ \$152,000.00, the percentage of federally taxable benefits received under the Social Security Act to be excluded shall be proportional to the amount of the taxpayer's federal adjusted gross income over ~~\$70,000.00~~ \$142,000.00, determined by:

(i) subtracting the federal adjusted gross income of the taxpayer from ~~\$80,000.00~~ \$152,000.00;

(ii) dividing the value under subdivision (i) of this subdivision (B) by \$10,000.00; and

(iii) multiplying the value under subdivision (ii) of this subdivision (B) by the federally taxable benefits received under the Social Security Act.

(C) If the federal adjusted gross income of the taxpayer is equal to or greater than ~~\$80,000.00~~ \$152,000.00, no amount of the federally taxable benefits received under the Social Security Act shall be excluded under this section.

\* \* \*

Second: By striking out Sec. 64, effective dates, in its entirety and inserting in lieu thereof a new Sec. 64 to read as follows:

Sec. 64. EFFECTIVE DATES

This act shall take effect on passage except:

(1) Notwithstanding 1 V.S.A. § 214, Sec. 1 (credit for taxes paid in another state by an S corporation) shall take effect retroactively on January 1, 2025, and shall apply to taxable years beginning on and after January 1, 2025.

(2) Secs. 3 and 4 (current use; land use change tax) shall take effect on October 1, 2026.

(3) Sec. 20 (grand list definition of parcel) shall take effect on April 1, 2027, and shall apply to grand lists lodged on and after that date.

(4) Sec. 22 (Department of Fish and Wildlife rule on fees) shall take effect on July 1, 2027.

(5) Secs. 24–48 (grand list assessment date) shall take effect on July 1, 2031, and shall apply to grand lists lodged after that date.

(6) Sec. 58 (Vermont research and development tax credit) shall take effect on January 1, 2027, and shall apply to taxable years beginning on and after January 1, 2027.

(7) Notwithstanding 1 V.S.A. § 214, Secs. 55–57 (decoupling from select provisions of IRC), and Secs. 60 and 61 (annual link-up) shall take effect retroactively on January 1, 2026, and shall apply to taxable years beginning on and after January 1, 2025.

(8) Sec. 63a (social security exemption) shall take effect on January 1, 2027 and apply to taxable years beginning on and after January 1, 2027.

Which was disagreed to.

Thereafter, pending third reading of the bill, **Rep. Galfetti of Barre Town** moved to amend the bill as follows:

First: By adding a reader assistance heading and two sections to be Secs. 63a and 63b to read as follows:

Sec. 63a. INTENT; TWO-YEAR EDUCATION PROPERTY TAX

FREEZE

It is the intent of the General Assembly to cap education property tax bills at fiscal year 2026 levels for fiscal years 2027 through 2028. It is further the intent of the General Assembly to offset any resulting deficit in the Education Fund with monies from the General Fund to ensure that statewide education spending is fully funded for the duration of the education property tax freeze.

Sec. 63b. EDUCATION PROPERTY TAX FREEZE; FYS 2027–2028

Notwithstanding 32 V.S.A. § 5402, in each of fiscal years 2027 through 2028, the Commissioner of Taxes shall bill a property taxpayer in a municipality at the lesser of:

(1) an amount equal to the property tax bill for the parcel using current fiscal year values and rates; or

(2) an amount equal to the property tax bill for the parcel in fiscal year 2026, except in cases where a new building was constructed after April 1, 2025, the tax bill shall be determined pursuant to subdivision (1) of this section.

Second: By striking out Sec. 64, effective dates, in its entirety and inserting in lieu thereof a new Sec. 64 to read as follows:

Sec. 64. EFFECTIVE DATES

This act shall take effect on passage except:

(1) Notwithstanding 1 V.S.A. § 214, Sec. 1 (credit for taxes paid in another state by an S corporation) shall take effect retroactively on January 1, 2025, and shall apply to taxable years beginning on and after January 1, 2025.

(2) Secs. 3 and 4 (current use; land use change tax) shall take effect on October 1, 2026.

(3) Sec. 20 (grand list definition of parcel) shall take effect on April 1, 2027, and shall apply to grand lists lodged on and after that date.

(4) Sec. 22 (Department of Fish and Wildlife rule on fees) shall take effect on July 1, 2027.

(5) Secs. 24–48 (grand list assessment date) shall take effect on July 1, 2031, and shall apply to grand lists lodged after that date.

(6) Sec. 58 (Vermont research and development tax credit) shall take effect on January 1, 2027, and shall apply to taxable years beginning on and after January 1, 2027.

(7) Notwithstanding 1 V.S.A. § 214, Secs. 55–57 (decoupling from select provisions of IRC) and Secs. 60 and 61 (annual link-up) shall take effect retroactively on January 1, 2026, and shall apply to taxable years beginning on and after January 1, 2025.

(8) Secs. 63a and 63b (property tax freeze) shall take effect on July 1, 2026.

Which was disagreed to. Thereupon, the bill was read the third time and passed.

**Bill Amended; Third Reading; Bill Passed**

**H. 67**

House bill, entitled

An act relating to legislative operations and government accountability

Was taken up and, pending third reading of the bill, **Reps. Sibilia of Dover, Donahue of Northfield, Headrick of Burlington, and Lipsky of Stowe** moved to amend the bill as follows:

First: In Sec. 2, Pilot Government Accountability Project, in subsection (b), following “Speaker of the House” by striking out the comma and inserting in lieu thereof “and”

Second: In Sec. 2, Pilot Government Accountability Project, in subsection (b), by striking out “and the leaders of the major political parties in both the House and Senate,”

Which was agreed to. Thereupon, the bill was read the third time and passed.

### **Third Reading; Bills Passed**

House bills of the following titles were severally taken up, read the third time, and passed:

#### **H. 567**

House bill, entitled

An act relating to unclaimed property, State retirement systems, and capital debt

#### **H. 650**

House bill, entitled

An act relating to educational technology products

### **Amendments Offered; Question Divided; Third Reading; Bill Passed**

#### **H. 772**

House bill, entitled

An act relating to residential rental agreements, eviction procedures, and the creation of the positive rental payment credit reporting pilot program

Was taken up and, pending third reading of the bill, **Reps. Stevens of Waterbury, Burrows of West Windsor, and LaMont of Morristown** moved to amend the bill as follows:

First: In Sec. 8, security deposit; transition period, by striking out “2026” and inserting in lieu thereof “2027”.

Second: By adding a Sec. 10a, a Sec. 10b, and an accompanying reader assistance heading to read as follows:

---

\* \* \* Tenant Representation Pilot Program \* \* \*

Sec. 10a. 2023 Acts and Resolves No. 47, Sec. 44 is amended to read:

Sec. 44. TENANT REPRESENTATION PILOT PROGRAM

(a) Creation; purpose. Vermont Legal Aid shall create and administer a two-year Tenant Representation Pilot Program:

(1) to provide full representation to eligible and consenting tenants in ~~Lamoille and Windsor counties~~ Vermont who have been served with a summons and complaint for eviction; and

(2) to determine the impact of representation on the issuance of writs of possession and homelessness prevention.

(b) Tenant eligibility. Vermont Legal Aid may enter a notice of appearance on behalf of a residential tenant ~~in Lamoille or Windsor County~~ who is served with a summons and complaint in an ejectment action, consents to the representation, and meets the following criteria:

(1) household income equals or is less than 120 percent of State area median income;

(2) the cost of rent equals or exceeds 30 percent of household income;  
or

(3) household expenses exceed income.

(c) Scope of representation.

(1) Full representation through the Program is limited to eviction.

(2) The pursuit of counterclaims shall be at the discretion of appointed counsel.

(d) Conflicts of interest.

(1) Vermont Legal Aid may subcontract to Legal Services Vermont if it is unable to provide tenant representation due to a conflict of interest as defined by the Vermont Rules of Professional Conduct.

(2) If Legal Services Vermont also has a conflict of interest, Vermont Legal Aid may subcontract to one or more private counsels who are members in good standing of the Vermont Bar.

(e) Report. Vermont Legal Aid shall provide interim reports on the progress of the Program on or before ~~November 15, 2023~~ November 30, 2025, and ~~November 15, 2024~~ November 30, 2026, and a final report on or before ~~July 30, 2025~~ July 31, 2027, which shall describe:

(1) the number of tenants represented;

(2) case outcomes, including:

(A) the number of cases fully or partially resolved through access to the Rent Arrears Assistance Fund;

(B) the number of cases fully or partially resolved through the Vermont Landlord's Association mediation program; and

(C) the number of cases fully or partially resolved through access to another resource identified through the Rental Housing Stabilization Services Program; and

(3) recommendations for policy changes and for pilot expansion.

(f) Implementation. The duty to implement this section is contingent upon an appropriation in fiscal year ~~2024~~ 2025 from the General Fund to the Agency of Human Services for a subgrant to Vermont Legal Aid to provide representation in eligible eviction cases ~~in the two pilot counties of Lamoille and Windsor beginning on July 1, 2023~~ November 1, 2024.

#### Sec. 10b. TENANT REPRESENTATION PILOT PROGRAM GRANT UPDATE

The Agency of Human Services and Vermont Legal Aid shall update existing grant agreements to implement the Tenant Representation Pilot Program amendments under this act.

Third: By striking out Sec. 11, effective date, and its reader assistance heading in their entirety and inserting in lieu thereof a new Sec. 11 and its reader assistance heading to read as follows:

\* \* \* Effective Dates \* \* \*

#### Sec. 11. EFFECTIVE DATES

This act shall take effect on July 1, 2027, except that:

(1) this section, Sec. 10a (Tenant Representation Pilot Program), and Sec. 10b (grant update requirement) shall take effect on passage; and

(2) Sec. 7 (positive rental payment credit reporting pilot) and Sec. 9 (landlord and tenant education and technical assistance program) shall take effect on July 1, 2026.

Which was disagreed to.

Thereafter, pending third reading of the bill, **Rep. Logan of Burlington** moved to amend the bill as follows:

First: In Sec. 1, 9 V.S.A. chapter 137, in section 4461, by inserting subsection (g) to read as follows:

(g)(1) A town or municipality may adopt an ordinance governing security deposits on dwellings. The ordinance shall be supplemental to and not inconsistent with the minimum protections of the provisions of this section.

(2) The ordinance ~~may~~ shall not limit how a security deposit is held.

(3) The ordinance may:

(A) Provide for greater protection than the provisions of this section.

(B) ~~authorize~~ Authorize the payment of interest on a security deposit.

(C) ~~The ordinance may provide~~ Provide that a housing board of review constituted pursuant to 24 V.S.A. § 5005 may hear and decide disputes related to security deposits upon request for a hearing by a landlord or tenant. The board's actions shall be reviewable under 24 V.S.A. § 5006.

Second: By adding a Sec. 10a, a Sec. 10b, and an accompanying reader assistance heading to read as follows:

\* \* \* City of Burlington Charter \* \* \*

#### Sec. 10a. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment of the charter of the City of Burlington as set forth in this act. Voters approved the proposal of amendment on March 2, 2021.

Sec. 10b. 24 App. V.S.A. chapter 3 is amended to read:

#### CHAPTER 3. CITY OF BURLINGTON

\* \* \*

#### § 48. ENUMERATED

The City Council shall have power:

\* \* \*

(67)(A) To provide by ordinance protections for residential tenants, as defined in 9 V.S.A. chapter 137, from eviction without "just cause," where "just cause" shall include:

(i) a tenant's material breach of a written rental agreement;

(ii) a tenant's violation of State statutes regulating tenant obligations in residential rental agreements;

(iii) nonpayment of rent; and

(iv) a tenant's failure to accept written, reasonable, good faith renewal terms.

(B) The ordinance shall exclude from "just cause" the expiration of a rental agreement as the sole grounds for termination of tenancy. In addition to the exemptions in 9 V.S.A. chapter 137, the ordinance shall exempt from this provision, subject to mitigation provisions, sublets and in-unit rentals as well as the following properties, but not limited to:

(i) owner-occupied duplexes and triplexes;

(ii) those being withdrawn from the rental market, including properties to be occupied by the owner or an immediate family member as a primary residence; and

(iii) those in need of substantial renovations that preclude occupancy.

(C) The ordinance shall include provisions that:

(i) mitigate potential negative impacts on tenants and property owners, including requirements of adequate notice and reasonable relocation expenses;

(ii) provide for a reasonable probationary period after initial occupancy; and

(iii) limit unreasonable rent increases to prevent de facto evictions or nonrenewals, although this shall not be construed to limit rents beyond the purpose of preventing individual evictions.

(D) The ordinance shall define what is "reasonable" and "adequate notice" in defining "just cause" and shall require that landlords provide notice of just cause and other legal requirements as part of the rental agreement.

\* \* \*

Third: By adding a Sec. 10c, a Sec. 10d, and an accompanying reader assistance heading to read as follows:

\* \* \* City of Winooski Charter \* \* \*

Sec. 10c. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment to the charter of the City of Winooski as set forth in this act. Voters approved the proposal of amendment on March 4, 2025.

Sec. 10d. 24 App. V.S.A. chapter 19 is amended to read:

CHAPTER 19. CITY OF WINOOSKI

\* \* \*

§ 304. GENERAL POWERS AND DUTIES

\* \* \*

(b) Additional powers. In addition to powers otherwise conferred upon it by law, the City, by the action of the Council or, if specifically required by law or this charter, by the action of its voters, has the following powers and rights, including:

\* \* \*

(13)(A) To adopt by ordinance protections for residential tenants, as defined in 9 V.S.A. chapter 137, from eviction without just cause. Just cause shall include:

(i) a tenant's material breach of a written rental agreement;

(ii) a tenant's violation of State statutes regulating tenant obligations in residential rental agreements;

(iii) nonpayment of rent; and

(iv) a tenant's failure to accept written, reasonable, good faith renewal terms.

(B) The ordinance shall:

(i) exclude from the definition of just cause the expiration of a rental agreement as the sole grounds for termination of tenancy; and

(ii) exempt, subject to mitigation provisions, sublets, in-unit rentals, and the following properties:

(I) owner-occupied duplexes and triplexes;

(II) properties being withdrawn from the rental market, including properties to be occupied by the owner or an immediate family member as a primary residence; and

(III) properties in need of substantial renovations that preclude occupancy.

(C) The ordinance shall include provisions that:

(i) Mitigate potential negative impacts on tenants and other property owners, including requirements of adequate notice and reasonable relocation expenses.

(ii) Provide for a reasonable probationary period after initial occupancy.

(iii) Limit unreasonable rent increases to prevent de facto evictions or nonrenewal. This subdivision (iii) shall not be construed to limit rental rates beyond the purpose of preventing individual evictions.

(D) The ordinance shall define “reasonable” and “adequate notice” in defining just cause and shall require that landlords provide notice of just cause and other legal requirements as part of the rental agreement.

\* \* \*

Fourth: By adding a Sec. 10e, a Sec. 10f, and an accompanying reader assistance heading to read as follows:

\* \* \* Town of Essex Charter \* \* \*

#### Sec. 10e. CHARTER AMENDMENT APPROVAL

The General Assembly approves the amendment to the charter of the Town of Essex as set forth in this act. Voters approved the proposal of amendment on March 7, 2023.

Sec. 10f. 24 App. V.S.A. chapter 117 is amended to read:

#### CHAPTER 117. TOWN OF ESSEX

\* \* \*

#### § 103. POWERS OF THE TOWN

\* \* \*

(e) The Selectboard shall have the power to provide, by ordinance, protections for residential tenants, as defined in 9 V.S.A. chapter 137, from eviction without just cause.

\* \* \*

Fifth: By adding a Sec. 10g and accompanying reader assistance heading to read as follows:

\* \* \* Municipal Regulation of Evictions \* \* \*

Sec. 10g. 24 V.S.A. § 2293a is added to read:

§ 2293a. REGULATION OF EVICTION FROM RESIDENTIAL TENANCY

(a) A municipality may propose to authorize the legislative body of the municipality to adopt an ordinance governing the eviction of residential tenants, provided that the proposal is approved by the voters at any annual or special meeting warned for that purpose. The proposal may be made by the legislative body of the municipality or by petition of five percent of the voters of the municipality.

(b) The warning and ballot for the annual or special meeting to vote on the proposal shall contain an article providing for a vote upon the following question and take the following form:

Shall the legislative body have the authority to adopt an ordinance regulating eviction from residential tenancies within this municipality?

Yes \_\_\_ No \_\_\_

(c) A vote to authorize the adoption of an ordinance pursuant to this section shall remain in effect until rescinded by majority vote of those present and voting by Australian ballot at a subsequent annual or special meeting warned for that purpose.

(d)(1) Notwithstanding any provision of 9 V.S.A. chapter 137 to the contrary, a municipal legislative body granted ordinance authority pursuant to this section may adopt an ordinance governing eviction from residential tenancy without just cause. For purposes of this section, just cause shall include:

(A) a tenant's material breach of a written rental agreement;

(B) a tenant's violation of State statutes regulating tenant obligations in residential rental agreements;

(C) nonpayment of rent; and

(D) a tenant's failure to accept written, reasonable, good faith renewal terms.

(2) An ordinance adopted pursuant to this section shall:

(A) exclude from the definition of just cause the expiration of a rental agreement as the sole grounds for termination of tenancy; and

(B) exempt, subject to mitigation provisions, sublets, in-unit rentals, and the following properties:

(i) owner-occupied duplexes and triplexes;

(ii) properties being withdrawn from the rental market, including properties to be occupied by the owner or an immediate family member as a primary residence; and

(iii) properties in need of substantial renovations that preclude occupancy.

(3) The ordinance shall include provisions that:

(A) Mitigate potential negative impacts on tenants and other property owners, including requirements of adequate notice and reasonable relocation expenses.

(B) Provide for a reasonable probationary period after initial occupancy.

(C) Limit unreasonable rent increases to prevent de facto evictions or nonrenewal. This subdivision (C) shall not be construed to limit rental rates beyond the purpose of preventing individual evictions.

(4) The ordinance shall define “reasonable” and “adequate notice” and shall require that landlords provide notice of just cause and other legal requirements as part of the rental agreement.

Thereupon, **Rep. Tomlinson of Winooski** asked that the question be divided by first considering the first instance of amendment, then the second through fourth instances of amendment, and then the remainder of the amendment, and the Speaker ruled the question was divisible in that manner.

Thereafter, the question, Shall the bill be amended as offered by Rep. Logan of Burlington in the first instance of amendment?, was disagreed to.

Pending the question, Shall the bill be amended as offered by Rep. Logan of Burlington in the second division of the amendment, which is the 2nd through 4th instances of amendment?, **Rep. Headrick of Burlington** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as offered by Rep. Logan of Burlington in the second division of the amendment, which is the 2nd through 4th instances of amendment?, was decided in the negative. Yeas, 33. Nays, 89.

Those who voted in the affirmative are:

Berbeco of Winooski \*  
Black of Essex

Garofano of Essex  
Headrick of Burlington

Ode of Burlington  
Olson of Starksboro

Bluemle of Burlington	Holcombe of Norwich	Parsons of Newbury
Brown of Richmond	Howard of Rutland City	Pouech of Hinesburg
Burke of Brattleboro	Hoyt of Hartford	Priestley of Bradford
Burkhardt of South Burlington	Kleppner of Burlington	Rachelson of Burlington *
Burrows of West Windsor	Krasnow of South Burlington	Sibilia of Dover
Casey of Montpelier	Logan of Burlington	Stevens of Waterbury
Cole of Hartford	McCann of Montpelier	Stone of Burlington
Dodge of Essex	McGill of Bridport	Tomlinson of Winooski
Duke of Burlington	Minier of South Burlington	Waszazak of Barre City

Those who voted in the negative are:

Arsenault of Williston	Goodnow of Brattleboro	Mihaly of Calais
Austin of Colchester	Goslant of Northfield	Morgan, L. of Milton
Bartholomew of Hartland	Graning of Jericho	Morris of Springfield
Bartley of Fairfax	Greer of Bennington	Morrissey of Bennington
Birong of Vergennes	Hango of Berkshire	Morrow of Weston
Bishop of Colchester	Harple of Glover	Mrowicki of Putney
Bosch of Clarendon	Harvey of Castleton	Nelson of Derby
Boutin of Barre City *	Higley of Lowell	Nielsen of Brandon
Boyden of Cambridge	Hooper of Randolph	Nigro of Bennington
Brady of Williston	Houghton of Essex Junction	North of Ferrisburgh
Branagan of Georgia	Howland of Rutland Town	Noyes of Wolcott
Brigham of St. Albans Town	Hunter of Manchester	Nugent of South Burlington
Burditt of West Rutland	Kascenska of Burke	Oliver of Sheldon
Burt of Cabot	Keyser of Rutland City	Page of Newport City
Campbell of St. Johnsbury	Kimbell of Woodstock	Pezzo of Colchester
Charlton of Chester	Kornheiser of Brattleboro	Powers of Waterford
Coffin of Cavendish	Labor of Morgan	Pritchard of Pawlet
Conlon of Cornwall	Lalley of Shelburne	Quimby of Lyndon
Cooper of Pownal	LaLonde of South Burlington	Satcowitz of Randolph
Corcoran of Bennington	Laroche of Franklin	Sheldon of Middlebury
Critchlow of Colchester	Lipsky of Stowe	Southworth of Walden
Dobrovich of Williamstown	Long of Newfane	Steady of Milton
Dolan of Essex Junction	Lueders of Lincoln	Sweeney of Shelburne
Dolgin of St. Johnsbury	Luneau of St. Albans City	Tagliavia of Corinth
Donahue of Northfield	Maguire of Rutland City	Taylor of Milton
Durfee of Shaftsbury	Marcotte of Coventry	Taylor of Mendon
Emmons of Springfield	Masland of Thetford	Torre of Moretown
Feltus of Lyndon	McCoy of Poultney	Waters Evans of Charlotte
Galfetti of Barre Town	McFaun of Barre Town	White of Waitsfield
Goldman of Rockingham		Wood of Waterbury

Those members absent with leave of the House and not voting are:

Bailey of Hyde Park	Dickinson of St. Albans Town	Pinsonault of Dorset
Bos-Lun of Westminster	Eastes of Guilford	Scheu of Middlebury
Canfield of Fair Haven	Gregoire of Fairfield	Squirrell of Underhill
Carris Duncan of Whitingham	James of Manchester	Walker of Swanton
		Wells of Brownington

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Casey of Hubbardton	LaMont of Morristown	White of Bethel
Chapin of East Montpelier	Malay of Pittsford	Winter of Ludlow
Christie of Hartford	Micklus of Milton	Yacovone of Morristown
Cina of Burlington	Morgan, M. of Milton	
Demar of Enosburgh	O'Brien of Tunbridge	

**Rep. Berbeco of Winooski** provided the following vote explanation:

“Madam Speaker:

I voted yes because this is the will of Winooski voters, who are more than 70% renters, myself included. Sometimes the outcome is more important than the process.”

**Rep. Boutin of Barre City** provided the following vote explanation:

“Madam Speaker:

Charter changes have their place. If before this body this charter change comes, I will support it, but not as an amendment on a housing bill.”

**Rep. Rachelson of Burlington** provided the following vote explanation:

“Madam Speaker:

Cities and towns can pass reforms with overwhelming support, but nothing changes unless the Legislature acts. I hear regularly from constituents who are very frustrated and cannot understand why our charter changes go into the ether when they reach Montpelier. It’s time to allow the will of our Burlington voters to prevail.”

Thereafter, the remainder of the amendment offered by Rep. Logan of Burlington was disagreed to.

Thereupon, the bill was read the third time and passed.

#### **Message from the Senate No. 34**

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 passed Senate bills of the following titles:

- S. 323.** An act relating to miscellaneous agricultural subjects.
- S. 325.** An act relating to regional planning and Act 250 Tier jurisdiction.
- S. 328.** An act relating to housing and common interest communities.

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

The Governor has informed the Senate that on the 26th day of March 2026, he approved and signed a bill originating in the Senate of the following title:

**S. 60.** An act relating to establishing the Farm and Forestry Operations Security Special Fund to provide payments for farm and forestry operation losses due to weather conditions.

The Senate has on its part adopted concurrent resolutions originating in the House of the following titles:

**H.C.R. 230.** House concurrent resolution recognizing April 2026 as National Child Abuse Prevention Month in Vermont and honoring Prevent Child Abuse Vermont for a half century of outstanding community leadership and service.

**H.C.R. 231.** House concurrent resolution honoring the outstanding achievements of the federal TRIO programs in Vermont.

**H.C.R. 232.** House concurrent resolution congratulating Malik Hines on his being named a National Afterschool Association's 2026 Next Generation of Afterschool Leader.

**H.C.R. 233.** House concurrent resolution honoring the 2026 nominees for the Boys & Girls Clubs of America's Vermont Youth of the Year award.

**H.C.R. 234.** House concurrent resolution designating April 9, 2026, as Alzheimer's Awareness Day at the State House.

**H.C.R. 235.** House concurrent resolution congratulating Sophia Parker of Addison on her selection as the 80th Miss Vermont.

**H.C.R. 236.** House concurrent resolution celebrating the importance of the manufacturing industry in the Vermont economy and designating April 2, 2026, as Manufacturing Day at the State House.

**H.C.R. 237.** House concurrent resolution congratulating the Vermont-associated 2026 Winter Olympics medal winners.

**H.C.R. 238.** House concurrent resolution congratulating the Vermont Association for the Blind and Visually Impaired on a century of advocating for and facilitating the realization of outstanding support services.

### **Action on Bill Postponed**

#### **H. 941**

House Committee bill, entitled

An act relating to municipal regulation of agriculture

Was taken up and, pending second reading of the bill, on motion of **Rep. Durfee of Shaftsbury**, action on the bill was postponed one legislative day.

**Amendment Offered and Withdrawn; Bill Amended;  
Third Reading; Bill Passed**

**H. 937**

House bill, entitled

An act relating to miscellaneous judiciary procedures

Was taken up and, pending third reading of the bill, **Rep. Galfetti of Barre Town** moved to amend the bill by adding two new sections to be Sec. 31 and Sec. 32 to read as follows:

Sec. 31. 13 V.S.A. § 7551 is amended to read:

§ 7551. IMPOSITION OF BAIL, SECURED APPEARANCE BONDS, AND  
APPEARANCE BONDS

(a) Bonds; generally. A bond given by a person charged with a criminal offense or by a witness in a criminal prosecution under section 6605 of this title, conditioned for the appearance of the person or witness before the court in cases where the offense is punishable by fine or imprisonment, and in appealed cases, shall be taken to the Criminal Division of the Superior Court where the prosecution is pending and shall remain binding upon parties until discharged by the court or until sentencing. The person or witness shall appear at all required court proceedings.

(b) ~~Limitation on imposition~~ Imposition of bail, secured appearance bonds, and appearance bonds.

(1) ~~Except as provided in subdivision (2) of this subsection, no bail, secured appearance bond, or appearance bond may be imposed:~~

~~(A) at the initial appearance of a person charged with a misdemeanor if the person was cited for the offense in accordance with Rule 3 of the Vermont Rules of Criminal Procedure; or~~

~~(B) at the initial appearance or upon the temporary release pursuant to Rule 5(b) of the Vermont Rules of Criminal Procedure of a person charged with a violation of a misdemeanor offense that is eligible for expungement pursuant to subdivision 7601(4)(A) of this title.~~

~~(2) In the event the court finds that imposing bail is necessary to mitigate the risk of flight from prosecution for In the case of a person defendant charged with a violation of a misdemeanor offense that is eligible for expungement sealing pursuant to subdivision 7601(4)(A) of this title, the~~

court may impose bail in a maximum amount of \$200.00 \$1,000.00 if the court finds that imposing bail is necessary for one or more of the following purposes:

(A) to mitigate risk of flight from prosecution;

(B) to reasonably ensure protection of the public;

(C) to reasonably ensure protection of a victim or witness; or

(D) to address concerns identified in the release recommendation of the law enforcement officer who arrested or cited the defendant for the offense. The \$200.00 limit shall not apply to an offense allegedly committed by a defendant who has been released on personal recognizance or conditions of release pending trial for another offense.

(3)(2) This subsection shall not be construed to restrict the court's ability to impose conditions on such persons to reasonably mitigate the risk of flight from prosecution or to reasonably protect the public in accordance with section 7554 of this title defendants for the purposes set forth in subdivisions (1)(A)–(D) of this subsection.

(c) Mandatory detention and enhanced bail for repeat offenders.

(1) Notwithstanding subsections (a) and (b) of this section and except as provided in subdivision (2) of this subsection, the following defendants shall be held without bail:

(A) a defendant who has failed to appear at a court proceeding two or more times in the previous five years;

(B) a defendant who was previously convicted of three or more offenses in the previous five years;

(C) a defendant who has four or more pending charges, including the offense charged;

(D) a defendant who was arrested for the offense charged while released on bail in another pending case;

(E) a defendant who was previously convicted of five or more misdemeanor offenses in the previous three years;

(F) a defendant who was previously convicted of two or more felony offenses in the previous five years;

(G) a defendant charged with a crime involving domestic violence who was previously convicted of or charged with one or more crimes involving domestic violence in the previous seven years;

(H) a defendant who was previously convicted of three or more alcohol-related or drug-related offenses in the previous five years;

(I) a defendant charged with a felony offense while on release after being charged with a felony offense;

(J) a defendant charged with a violent offense while on release after being charged with any other offense;

(K) a defendant charged with a drug trafficking or drug distribution offense while on release after being charged with any other offense; and

(L) a defendant in subdivisions (A)–(K) of this subdivision (1) who is released on bail, on personal recognizance, or subject to conditions of release and who is charged with any new offense.

(2) For persons identified in subdivisions (1)(A)–(L) of this subsection, the judicial officer may set bail in the following amounts for the purposes set forth in subdivisions (b)(1)(A)–(D) of this section:

(A) for a defendant who failed to appear at a court proceeding two or more times in the previous five years, an amount not less than:

(i) \$1,000.00 if the defendant previously failed to appear at a court proceeding two times in the previous five years;

(ii) \$2,000.00 if the defendant previously failed to appear at a court proceeding three times in the previous five years; and

(iii) \$3,000.00 if the defendant previously failed to appear at a court proceeding four or more times in the previous five years;

(B) for a defendant who was previously convicted of three or more offenses in the previous five years, an amount not less than:

(i) \$2,500.00 if the defendant was previously convicted of three offenses in the previous five years;

(ii) \$5,000.00 if the defendant was previously convicted of four offenses in the previous five years; and

(iii) \$7,500.00 if the defendant was previously convicted of five or more offenses in the previous five years;

(C) for a defendant who has four or more pending charges, including the charged offense, an amount not less than:

(i) \$5,000.00 if the defendant has four pending charges, including the charged offense;

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(ii) \$10,000.00 if the defendant has five pending charges, including the charged offense; and

(iii) \$15,000.00 if the defendant has six or more pending charges, including the charged offense;

(D) for a defendant who was arrested for the charged offense while released on bail in another pending case, an amount not less than:

(i) \$5,000.00 if the defendant was arrested one time for a new offense while released on bail in a pending case;

(ii) \$10,000.00 if the defendant was arrested two times for a new offense while released on bail in a pending case; and

(iii) \$15,000.00 if the defendant was arrested three or more times for a new offense while released on bail in a pending case;

(E) for a defendant who was previously convicted of five or more misdemeanor offenses in the previous three years, an amount not less than:

(i) \$7,500.00 if the defendant was previously convicted of five misdemeanor offenses in the previous three years;

(ii) \$15,000.00 if the defendant was previously convicted of six misdemeanor offenses in the previous three years; and

(iii) \$22,500.00 if the defendant was previously convicted of seven or more misdemeanor offenses in the previous three years;

(F) for a defendant who was previously convicted of two or more felony offenses in the previous five years, an amount not less than:

(i) \$10,000.00 if the defendant was previously convicted of two felony offenses in the previous five years;

(ii) \$20,000.00 if the defendant was previously convicted of three felony offenses in the previous five years; and

(iii) \$30,000.00 if the defendant was previously convicted of four or more felony offenses in the previous five years;

(G) for a defendant charged with an offense involving domestic violence who was previously convicted of or charged with one or more offenses involving domestic violence in the previous seven years, an amount not less than:

(i) \$5,000.00 if the defendant was previously charged with or convicted of one offense involving domestic violence in the previous seven years;

(ii) \$10,000.00 if the defendant was previously charged with or convicted of two offenses involving domestic violence in the previous seven years; and

(iii) \$20,000.00 if the defendant was previously charged with or convicted of three or more offenses involving domestic violence in the previous seven years;

(H) for a defendant who was previously convicted of three or more alcohol-related or drug-related offenses in the previous five years, an amount not less than:

(i) \$3,000.00 if the defendant was previously convicted of three alcohol-related or drug-related offenses in the previous five years;

(ii) \$6,000.00 if the defendant was previously convicted of four alcohol-related or drug-related offenses in the previous five years; and

(iii) \$12,000.00 if the defendant was previously convicted of five or more alcohol-related or drug-related offenses in the previous five years;

(I) for a defendant charged with a felony offense while on release after being charged with a felony offense, an amount not less than:

(i) \$15,000.00 if the defendant was not previously convicted of a felony offense;

(ii) \$30,000.00 if the defendant was previously convicted of one felony offense; and

(iii) \$50,000.00 if the defendant was previously convicted of two or more felony offenses;

(J) for a defendant charged with a violent offense while on release after being charged with any other offense, an amount not less than:

(i) \$20,000.00 if the defendant was not previously charged with a violent offense while on release after being charged with another offense;

(ii) \$40,000.00 if the defendant was previously convicted of one violent offense; and

(iii) \$50,000.00 if the defendant was previously convicted of two or more violent offenses;

(K) for a defendant charged with a drug trafficking or drug distribution offense while on release after being charged with any other offense, an amount not less than:

(i) \$25,000.00 if the defendant was not previously charged with a drug trafficking or drug distribution offense while on release after being charged with another offense;

(ii) \$50,000.00 if the defendant was previously convicted of one drug trafficking or drug distribution offense; and

(iii) \$100,000.00 if the defendant was previously convicted of two or more drug trafficking or drug distribution offenses; and

(L) for a defendant identified in subdivisions (1)(A)–(K) of this subsection (c) who is charged with any new criminal offense while on bail, personal recognizance, or subject to conditions of release, an amount not less than twice the amount specified in subdivisions (A)–(K) of this subdivision (c)(2).

(d) Judicial determination that detention without bail is not warranted; factors, written justification.

(1) In determining whether to impose mandatory detention without bail or enhanced bail amounts, the judicial officer shall consider the following:

(A) the number and frequency of prior offenses of which the defendant was previously convicted and with which the defendant is charged, including all of the following:

(i) the number of the defendant’s prior convictions;

(ii) the number of the defendant’s pending charges;

(iii) the number of times the defendant failed to appear at a court proceeding;

(iv) the number of offenses the defendant committed per year; and

(v) any pattern of escalating or de-escalating criminal behavior by the defendant;

(B) the nature and circumstances of the offenses of which the defendant was previously convicted and with which the defendant is charged, including all of the following:

(i) whether the charged offense is a felony or misdemeanor;

(ii) whether each offense of which the defendant was previously convicted is a felony or misdemeanor;

(iii) whether the offenses of which the defendant was previously convicted and with which the defendant is charged involve violence committed by the defendant;

(iv) whether the offenses of which the defendant was previously convicted and with which the defendant is charged are against persons or property;

(v) whether a weapon was used in the commission of the offenses of which the defendant was previously convicted and with which the defendant is charged;

(vi) whether the offenses of which the defendant was previously convicted and with which the defendant is charged involve bodily injury to victims; and

(vii) the level of threat to public safety posed by the offenses of which the defendant was previously convicted and with which the defendant is charged;

(C) the risk assessment and recommendation of the law enforcement officer who arrested or cited the defendant for the offense, including all of the following:

(i) the recommendation of the law enforcement officer who arrested or cited the defendant for the offense that the defendant be detained without bail or that a certain bail amount should be imposed;

(ii) the risk assessment of the law enforcement officer who arrested or cited the defendant for the offense, including whether the defendant cooperated with law enforcement, was under the influence of alcohol or another substance at the time of the offense, or poses a risk to the public;

(iii) any flight risk indicators observed by the law enforcement officer who arrested or cited the defendant for the offense;

(iv) any threats made by the defendant during the arrest;

(v) the defendant's history of which the law enforcement officer who arrested or cited the defendant for the offense has knowledge; and

(vi) the risk factors identified in the affidavit of the law enforcement officer who arrested or cited the defendant for the offense; and

(D) the defendant's circumstances, the protection of the public, and the protection of a victim or witness, including all of the following:

(i) whether the defendant complied with prior conditions of release;

(ii) the defendant's ties to the community, including the defendant's employment status and family;

(iii) the defendant's history of substance abuse;

(iv) the defendant's mental health status;

(v) the protection of a victim or witness;

(vi) the protection of the public; and

(vii) the risk of nonappearance at future court proceedings.

(2) If the judicial officer sets an enhanced bail amount instead of holding the defendant without bail, the judicial officer shall make written findings on the record explaining:

(A) the factors the judicial officer considered;

(B) why detention without bail is not necessary even though the defendant committed one or more prior offenses;

(C) how the bail amount and conditions of release will mitigate flight risk and protect the public; and

(D) if the judicial officer's determination is not consistent with the release recommendation of the law enforcement officer who arrested or cited the defendant for the offense, why the judicial officer's determination is not consistent with the release recommendation of the law enforcement officer.

(e) Advisory bail by law enforcement officer who arrested or cited the defendant for the offense binding on judicial officer in certain circumstances. The law enforcement officer who arrested or cited the defendant for the offense may provide a release recommendation to the judicial officer based on the law enforcement officer's observations of the defendant's behavior, flight risk indicators, and history.

(1) Notwithstanding subdivision (c)(2) of this section, if the law enforcement officer who arrested or cited the defendant for the offense recommends that the defendant be held without bail, the judicial officer shall hold the defendant without bail.

(2) Notwithstanding subsection (c) of this section, if the law enforcement officer who arrested or cited the defendant for the offense recommends that bail should be imposed, the judicial officer shall impose bail in the amount recommended by the law enforcement officer, provided the law enforcement officer submits an affidavit that details the defendant's risk factors and the judicial officer finds the law enforcement officer's recommendation supported by the evidence. The law enforcement officer who

arrested or cited the defendant for the offense shall not recommend and the judicial officer shall not impose bail in an amount greater than \$25,000.00 for a misdemeanor offense or greater than \$100,000.00 for a felony offense.

(f) Expedited hearing for defendant to present evidence. At the initial bail hearing, a defendant held without bail under subsection (c) of this section may request an expedited hearing at which the defendant may present evidence regarding the factors listed in subsection (d) of this section. If the defendant requests a hearing, a hearing shall be held within 72 hours after the initial bail determination, excluding weekends and holidays. At the hearing, a judicial officer shall hear the defendant's evidence and review whether the defendant should be held without bail as provided in subsection (c).

(g) Automatic forfeiture of bail upon arrest for new offense. A defendant who has been released pursuant to subdivision (c)(2) of this section who is charged with a new offense while on release shall automatically forfeit all bail posted for the defendant's previous charges. The defendant shall be subject to the provisions of subdivisions (c)(2)(A)–(L) of this section for the new offense and all pending charges.

Sec. 32. 13 V.S.A. § 7554 is amended to read:

§ 7554. RELEASE PRIOR TO TRIAL

(a) Release; conditions of release. Any person charged with an offense, other than a person held without bail under section 7553 or 7553a of this title, shall may at the person's appearance before a judicial officer be ordered released pending trial in accordance with this section.

(1) The defendant ~~shall~~ may only be ordered released on personal recognizance or upon the execution of an ~~unsecured~~ secured appearance bond in an amount specified by the judicial officer ~~unless if~~ the judicial officer determines that such a release will ~~not~~ reasonably ~~mitigate the risk of flight from prosecution as required~~ achieve the purposes set forth in subdivisions 7551(b)(1)(A)–(D) of this title. In determining whether the defendant presents a risk of flight from prosecution making this determination, the judicial officer shall consider, in addition to any other factors, the seriousness of the offense charged; the number of offenses with which the person is charged; whether, at the time of the current offense or arrest, the defendant was released on conditions or personal recognizance, on probation, furlough, parole, or other release pending trial, sentencing, appeal, or completion of a sentence for an offense under federal or state law; ~~and~~ whether, in connection with a criminal prosecution, the defendant is compliant with court orders or has failed to appear at a court hearing; the protection of the public; the protection of a victim or witness; and the concerns identified in the release recommendation

of the law enforcement officer who arrested or cited the defendant for the offense. If the judicial officer determines that the defendant presents a risk of flight from prosecution, a risk to the public, a risk to a victim or witness, or a concern identified in the release recommendation of the law enforcement officer who arrested or cited the defendant for the offense, the officer shall, either in lieu of or in addition to the methods of release in this section, impose the least restrictive of the following conditions or the least restrictive a combination of the following conditions that will reasonably mitigate the risk of flight of the defendant as required achieve the purposes set forth in subdivisions 7551(b)(1)(A)–(D) of this title:

(A) Place the defendant in the custody of a designated person or organization agreeing to supervise the defendant if the defendant is charged with an offense that is not a nonviolent misdemeanor or nonviolent felony as defined in 28 V.S.A. § 301.

(B) Place restrictions on the travel or association of the defendant during the period of release.

(C) Require the defendant to participate in an alcohol or drug treatment program. The judicial officer shall take into consideration the defendant's ability to comply with an order of treatment and the availability of treatment resources.

~~(D) Upon consideration of the defendant's financial means, require~~ Require the execution of a secured appearance bond in a specified amount and the deposit with the clerk of the court, in cash or other security as directed, of a sum not to exceed 10 percent of the amount of the bond, such deposit to be returned upon the appearance of the defendant as required.

~~(E) Upon consideration of the defendant's financial means, require~~ Require the execution of a surety bond with sufficient solvent sureties, or the deposit of cash in lieu thereof.

(F) Impose any other condition found reasonably necessary to ~~mitigate the risk of flight~~ achieve the purposes set forth in subdivisions 7551(b)(1)(A)–(D) of this title as required, including a condition requiring that the defendant return to custody after specified hours.

(G) [Repealed.]

(H) Place the defendant in the ~~pretrial supervision program~~ Pretrial Supervision Program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivisions ~~7555(d)(2)–(3)~~ 7555(d)(2) and (3) of this title.

(I) Place the defendant in the ~~home detention program~~ Home Detention Program pursuant to section 7554b of this title.

(2) If the judicial officer determines that conditions of release imposed to mitigate the risk of flight will not reasonably protect the public or address concerns identified in the release recommendation of the law enforcement officer who arrested or cited the defendant for the offense, the judicial officer may impose, in addition, ~~the least restrictive of~~ the following conditions or ~~the least restrictive a~~ combination of the following conditions that will reasonably ensure protection of the public and address concerns identified in the release recommendation of the law enforcement officer who arrested or cited the defendant for the offense:

(A) Place the defendant in the custody of a designated person or organization agreeing to supervise the defendant if the defendant is charged with an offense that is not a nonviolent misdemeanor or nonviolent felony as defined in 28 V.S.A. § 301.

(B) Place restrictions on the travel, association, or place of abode of the defendant during the period of release.

(C) Require the defendant to participate in an alcohol or drug treatment program. The judicial officer shall take into consideration the defendant's ability to comply with an order of treatment and the availability of treatment resources.

(D) Impose any other condition found reasonably necessary to protect the public, ~~except that a physically restrictive condition may only be imposed in extraordinary circumstances~~ and address concerns identified in the release recommendation of the law enforcement officer who arrested or cited the defendant for the offense.

(E) Suspend the officer's duties in whole or in part if the defendant is a State, county, or municipal officer charged with violating section 2537 of this title and the court finds that it is necessary to protect the public.

(F) [Repealed.]

(G) Place the defendant in the ~~pretrial supervision program~~ Pretrial Supervision Program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivisions ~~7555(d)(2)-(3)~~ 7555(d)(2) and (3) of this title.

(H) Place the defendant in the ~~home detention program~~ Home Detention Program pursuant to section 7554b of this title.

(3) If the defendant satisfies the criteria in subdivisions (A)–(H) of this subdivision, a judicial officer shall impose the conditions as required in subdivisions (A)–(H) of this subdivision.

(A) If a defendant failed to appear at a court proceeding two or more times in the previous five years, the judicial officer shall:

(i) place the defendant under surveillance and electronic monitoring by the Department of Corrections, including the use of passive electronic monitoring;

(ii) place the defendant in the Pretrial Supervision Program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivisions 7555(d)(2) and (3) of this title, and require the defendant to report on a daily basis to the Department of Corrections; and

(iii) require the defendant to participate in an alcohol or drug treatment program.

(B) If the defendant was previously convicted of three or more offenses in the previous five years, the judicial officer shall:

(i) place the defendant under surveillance and electronic monitoring by the Department of Corrections, including the use of passive electronic monitoring, or place the defendant in the Home Detention Program pursuant to section 7554b of this title;

(ii) place the defendant in the Pretrial Supervision Program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivisions 7555(d)(2) and (3) of this title, and require the defendant to report on a weekly basis to the Department of Corrections; and

(iii) require the defendant to participate in an alcohol or drug treatment program.

(C) If the defendant has four or more pending criminal charges, including the charged offense, the judicial officer shall:

(i) place the defendant under surveillance and electronic monitoring by the Department of Corrections, including the use of passive electronic monitoring;

(ii) place the defendant in the Pretrial Supervision Program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivisions 7555(d)(2) and (3) of this title;

(iii) require the defendant to participate in an alcohol or drug treatment program; and

(iv) place restrictions on the travel of the defendant during the period of release to the county of the defendant's residence.

(D) If the defendant violated release conditions in the previous three years, the judicial officer shall:

(i) place the defendant in the Home Detention Program pursuant to section 7554b of this title;

(ii) place the defendant in the Pretrial Supervision Program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivisions 7555(d)(2) and (3) of this title;

(iii) require the defendant to participate in an alcohol or drug treatment program; and

(iv) require the defendant to abstain from consuming alcohol, which the Department of Corrections may enforce through random testing.

(E) If the defendant is charged with an offense involving domestic violence and was charged with or convicted of an offense involving domestic violence in the previous seven years, the judicial officer shall:

(i) require that the defendant not contact the victim or victims;

(ii) place the defendant under surveillance and electronic monitoring by the Department of Corrections, including the use of passive electronic monitoring, with designated exclusion zones;

(iii) require the defendant to participate in a domestic violence treatment program; and

(iv) require the defendant to participate in an alcohol or drug treatment program.

(F) If the defendant was previously convicted of five or more misdemeanor offenses in the previous three years, the judicial officer shall:

(i) place the defendant in the Pretrial Supervision Program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivisions 7555(d)(2) and (3) of this title;

(ii) require the defendant to participate in an alcohol or drug treatment program;

(iii) require the defendant to report in person each week to the Department of Corrections; and

(iv) require the defendant comply with a curfew between 10:00 p.m. and 6:00 a.m.

(G) If the defendant was charged with a felony while on release after being charged with a felony offense, the judicial officer shall:

(i) place the defendant under surveillance and electronic monitoring by the Department of Corrections, including the use of passive electronic monitoring;

(ii) require the defendant to participate in an alcohol or drug treatment program; and

(iii) place restrictions on the association of the defendant with any co-defendants during the period of release.

(H) If the defendant was previously convicted of three or more alcohol-related or drug-related offenses in the previous five years, the judicial officer shall:

(i) require the defendant to participate in an alcohol or drug treatment program;

(ii) require the defendant to submit to random drug and alcohol testing at least two times each week;

(iii) place the defendant under surveillance and electronic monitoring by the Department of Corrections, including the use of passive electronic monitoring, or place the defendant in the Home Detention Program pursuant to section 7554b of this title; and

(iv) require the defendant to abstain from consuming alcohol or visiting establishments that primarily serve alcohol.

(4) A judicial officer ~~may~~ shall order that a defendant not harass or contact or cause to be harassed or contacted a victim or potential witness. This order shall take effect immediately, regardless of whether the defendant is incarcerated or released.

(b) Judicial considerations in imposing conditions of release. In determining which conditions of release to impose:

(1) In subdivision (a)(1) of this section, the judicial officer, on the basis of available information, shall take into account the nature and circumstances of the offense charged; the weight of the evidence against the ~~accused~~ defendant; the ~~accused's~~ defendant's employment; ~~financial resources, including the accused's ability to post bail;~~ the ~~accused's~~ defendant's character and mental condition; the ~~accused's~~ defendant's length of residence in the community; ~~and the accused's~~ defendant's record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings; and the protection of the public.

(2) In subdivision (a)(2) of this section, the judicial officer, on the basis of available information, shall take into account the nature and circumstances of the offense charged; the weight of the evidence against the ~~accused~~ defendant; the ~~accused's~~ defendant's family ties, employment, character and mental condition, length of residence in the community, record of convictions, and record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings; whether, at the time of the current offense or arrest, the defendant was released on conditions or personal recognizance, on probation, furlough, parole, or other release pending trial, sentencing, appeal, or completion of a sentence for an offense under federal or state law; ~~and~~ whether, in connection with a criminal prosecution, the defendant is compliant with court orders or has failed to appear at a court hearing; ~~and the protection of the public~~. Recent history of actual violence or threats of violence may be considered by the judicial officer as bearing on the character and mental condition of the ~~accused~~ defendant.

(3) In subdivision (a)(2) of this section, the judicial officer, on the basis of available information, shall take into account whether the defendant is a repeat or chronic offender and the protection of the public and public resources. The judicial officer may impose enhanced conditions based on whether the defendant was previously convicted of three or more misdemeanor offenses in the previous two years, whether the defendant was previously convicted of five or more misdemeanor offenses in the previous five years, whether the defendant was previously convicted of two or more felony offenses in the previous five years, whether the defendant has four or more pending charges, whether the defendant previously failed to appear at a court proceeding two or more times in the previous five years, and whether the defendant has a pattern of committing similar offenses, defined as being convicted of three or more offenses of the same type in the previous three years.

\* \* \*

and by renumbering the remaining section to be numerically correct.

Thereupon, **Rep. Galfetti of Barre Town** asked and was granted leave of the House to withdraw the amendment.

Thereafter, pending third reading of the bill, **Reps. Maguire of Rutland City and LaLonde of South Burlington** moved to amend the bill by adding 10 new sections to be Secs. 31–40 to read as follows:

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**Sec. 31. FINDINGS**The General Assembly finds:

(1) The pilot accountability court in Chittenden County, which was referred to as the Pilot Accountability Court, was a project proposed by the Governor and implemented by the Judiciary in collaboration with the Chittenden County State's Attorney, the Department of State's Attorneys and Sheriffs, the Chittenden County Public Defender's Office, the Agency of Human Services, the Chittenden County Sheriff's Office, and the Department of Public Safety, Division of Emergency Management.

(2) The docket helped clear a backlog of repeat offender criminal cases involving individuals with five or more open charges, many of whom were unhoused and struggling with substance use issues or mental health challenges. The docket brought together judges, prosecutors, defense attorneys, and human services staff to resolve cases faster and connect individuals to the services they needed.

(3) The docket achieved a clearance rate of approximately 300 percent or roughly three times the Judiciary's typical clearance rate.

(4) More importantly, repeat offenders were held accountable to the court for complying with conditions of release, complying with orders to connect with service providers, and appearing for scheduled court proceedings.

(5) Each county that determines that employing a rapid accountability docket modeled on the pilot in Chittenden County that takes into account the unique needs and resources of the county should have the opportunity to operate such a docket.

**Sec. 32. RAPID ACCOUNTABILITY DOCKET; PURPOSE**The goals of a rapid accountability docket include:

(1) Accelerating court proceedings of repeat-offender cases by ensuring:

(A) consistent and timely availability of judicial resources, including judge and courtroom time;

(B) dedicated prosecutorial and defense resources;

(C) the availability of resources of the Department of Corrections and the Agency of Human Services; and

(D) sufficient transport services to detained individuals, as needed, to ensure that defendants attend scheduled court hearings.

(2) Connecting individuals with treatment, housing, and social services to appropriately address the circumstances that may contribute to recidivism.

(3) Reducing the number of pending criminal cases that involve individuals with multiple dockets by providing targeted resources to improve the overall efficiency of the criminal justice system and utilize the known deterrent effects of consequences close in time to the alleged offense.

(4) Improving accountability for individuals with multiple pending legal cases by providing immediate follow-up and a court schedule that is responsive to their needs.

(5) Improving collaboration among the courts, law enforcement, prosecutors, and social workers to provide faster resolution of repeat offender cases.

### Sec. 33. COUNTY DEPLOYMENT STRATEGY

The Executive Director of the Department of State's Attorneys and Sheriffs, in consultation the Defender General and the Secretary of Human Services or designee, shall recommend to the Chief Superior Judge the counties identified as appropriate for the rapid accountability docket and the order in which the counties shall implement the docket. At least 30 days before a rapid accountability docket starts in a county, the State's Attorney in each respective county shall convene stakeholders in the county to assess needs and resources within the county to develop a plan to implement the docket in accordance with the goals identified in Sec. 32 of this act.

### Sec. 34. DEDICATED COURT SPACE AND JUDICIARY STAFF

(a) The Chief Superior Court Judge shall assign a sitting or retired judge to each rapid accountability docket, and the Court Administrator shall provide a dedicated courtroom, court staff, and court security to implement the plan for the respective county.

(b) Each operating period shall last up to 90 days but may be shorter if the goals of the rapid accountability docket are met, as determined by the Judiciary in consultation with the State's Attorney and the public defender. Each docket shall give priority to defendants with five or more pending cases, but the State's Attorney or public defender may request to include defendants with fewer than five pending cases where faster action would serve the interests of justice.

### Sec. 35. DEDICATED PROSECUTOR AND LEAD PUBLIC DEFENDER

(a) The Governor, in consultation with the respective county State's Attorney and the Executive Director of the Department of State's Attorneys and Sheriffs, may appoint a special prosecutor to serve a rapid accountability docket, or the State's Attorney of the respective county may appoint a designated deputy State's Attorney to serve a rapid accountability docket.

(b) The Executive Director of the Department of State's Attorneys and Sheriffs and the State's Attorney shall dedicate victim advocates and administrative staff sufficient to implement the plan for the respective county.

(c) The Defender General shall identify a lead public defender for each county rapid accountability docket and coverage sufficient to implement the plan for the respective county.

#### Sec. 36. EXECUTIVE BRANCH RESOURCES

(a) The Governor shall dedicate resources from the Department of Public Safety (DPS), Department of Motor Vehicles (DMV), Department of Corrections (DOC), Department of Mental Health, and Agency of Human Services sufficient to implement the plan for the respective county.

(1) DOC shall assign a liaison to each operating docket.

(2) The Department of State's Attorneys and Sheriffs and the State's Attorney, local law enforcement, DMV, DPS, and DOC shall, in collaboration with each county sheriff's office, ensure timely transport of incarcerated defendants to hearings.

(3) The Secretary of Human Services shall assign staff to each docket to address complex needs, including defendants dealing with:

(A) substance use or mental health challenges;

(B) homelessness or unstable housing; and

(C) trauma or child welfare history.

(b) The Governor, in consultation with the Secretary of Human Services, the Executive Director of the Department of State's Attorneys and Sheriffs, and the Chief Prevention Officer, may designate a rapid accountability docket coordinator to assist with the deployment of resources.

(c) The Administration shall coordinate Executive Branch resources to track and report data as required by Sec. 37 of this act. The Secretary of Administration shall ensure that information is maintained and distributed to evaluate the programmatic efficiency and dispositional outcomes.

#### Sec. 37. DATA COLLECTION

For each rapid accountability docket, the Secretary of Administration shall track and report:

(1) the number of defendants served;

(2) the number of cases resolved and types of outcomes;

(3) the number of defendants connected to services and types of services;

(4) the number of times each defendant appeared in court for the docket;

(5) the number of probation or furlough violations of the defendants sentenced through the docket within six and 12 months; and

(6) the number of defendants charged with a new offense within six and 12 months and the types of offenses.

#### Sec. 38. REPORTING

(a) The Department of State's Attorneys and Sheriffs, the Defender General, the Agency of Human Services, and the Judiciary shall appear at the August 2026 meeting of the Joint Legislative Justice Oversight Committee to report progress on the implementation of the rapid accountability dockets.

(b) On or before December 1, 2026, the Secretary of Administration shall submit a written report regarding the implementation of the rapid accountability dockets to the House and Senate Committees on Judiciary and the Governor.

#### Sec. 39. CONTINGENCY FUNDING

The duty to implement Secs. 32–37 of this act is contingent upon the availability of funds appropriated in fiscal year 2027 and 2025 Acts and Resolves No. 27, Sec. B.1100(a)(3) as amended by 2026 Acts and Resolves No. 74, Sec. 51.

#### Sec. 40. REPEAL

Secs. 31–39 of this act shall be repealed on July 1, 2028.

and by renumbering the remaining section to be numerically correct.

Which was agreed to. Thereupon, the bill was read the third time and passed.

**Committee Bill Introduced;  
Referred to Committee on Ways and Means**

**H. 952**

By the Committee on Corrections and Institutions,

House bill, entitled

An act relating to capital construction and State bonding budget adjustment

Was read the first time and, pursuant to House Rule 35(a), affecting the revenue of the State, referred to the Committee on Ways and Means.

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**Adjournment**

At five o'clock and fourteen minutes in the evening, on motion of **Rep. McCoy of Poultney**, the House adjourned until Tuesday, March 31, 2026, at ten o'clock in the forenoon, pursuant to the provisions of J.R.S. 46.

**Concurrent Resolutions Adopted**

The following concurrent resolutions, having been placed on the Consent Calendar on the preceding legislative day, and no member having requested floor consideration as provided by Rule 16b of the Joint Rules of the Senate and House of Representatives, are hereby adopted on the part of the House:

**H.C.R. 230**

House concurrent resolution recognizing April 2026 as National Child Abuse Prevention Month in Vermont and honoring Prevent Child Abuse Vermont for a half century of outstanding community leadership and service

**H.C.R. 231**

House concurrent resolution honoring the outstanding achievements of the federal TRIO programs in Vermont

**H.C.R. 232**

House concurrent resolution congratulating Malik Hines on his being named a National Afterschool Association's 2026 Next Generation of Afterschool Leader

**H.C.R. 233**

House concurrent resolution honoring the 2026 nominees for the Boys & Girls Clubs of America's Vermont Youth of the Year award

**H.C.R. 234**

House concurrent resolution designating April 9, 2026, as Alzheimer's Awareness Day at the State House

**H.C.R. 235**

House concurrent resolution congratulating Sophia Parker of Addison on her selection as the 80th Miss Vermont

**H.C.R. 236**

House concurrent resolution celebrating the importance of the manufacturing industry in the Vermont economy and designating April 2, 2026, as Manufacturing Day at the State House

**H.C.R. 237**

House concurrent resolution congratulating the Vermont-associated 2026 Winter Olympics medal winners

**H.C.R. 238**

House concurrent resolution congratulating the Vermont Association for the Blind and Visually Impaired on a century of advocating for and facilitating the realization of outstanding support services

[The full text of the concurrent resolutions appeared in the House Calendar Addendum on the preceding legislative day and will appear in the Public Acts and Resolves of the 2026 Adjourned Session.]