

Journal of the Senate

THURSDAY, FEBRUARY 12, 2026

The Senate was called to order by the President.

Devotional Exercises

A moment of silence was observed in lieu of devotions.

Message from the House No. 19

A message was received from the House of Representatives by Ms. Courtney Reckord, its Second Assistant Clerk, as follows:

Mr. President:

I am directed to inform the Senate that:

The House has passed a House bill of the following title:

H. 611. An act relating to miscellaneous provisions affecting the Department of Vermont Health Access.

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

Bill Referred

House bill of the following title was read the first time and referred:

H. 611.

An act relating to miscellaneous provisions affecting the Department of Vermont Health Access.

To the Committee on Health and Welfare.

Bill Passed

S. 208.

Senate bill of the following title was read the third time and passed:

An act relating to standards for law enforcement identification.

Bill Amended; Third Reading Ordered

S. 209.

Senator Vyhovsky, for the Committee on Judiciary, to which was referred Senate bill entitled:

An act relating to prohibiting civil arrest in sensitive locations.

Reported recommending that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 12 V.S.A. § 3577 is amended to read:

§ 3577. PRIVILEGE FROM ARREST

(a) The Governor, Lieutenant Governor, State Treasurer, Secretary of State, Auditor of Accounts, Attorney General, and members of the General Assembly and officers and witnesses whose duty it is to attend thereon, in all cases except treason, felony, and breach of the peace, shall be privileged from arrest and imprisonment during their necessary attendance on and in going to and returning from the General Assembly.

(b) A party or witness in a cause pending in any court in the State or before special masters, auditors, referees, or commissioners, and a witness in a criminal cause pending in any such court, shall not be arrested, imprisoned, or detained by virtue of civil process. Any witness summoned from outside the State in a criminal cause, pending in any court within the State, shall be privileged from the service of papers of any kind whatsoever, and from arrest for any cause while going to, attending at, or returning from such court or trial of such cause.

(c)(1) Prohibition. A person shall not be subject to civil arrest while traveling to, entering, remaining at, or returning from a:

(A) court proceeding;

(B) polling place;

(C) educational institution;

(D) social services establishment, which includes a crisis center, domestic violence shelter, victim services center, child advocacy center, supervised visitation center, family justice center, facility that serves disabled persons, homeless shelter, substance use disorder counseling and treatment facility, and an establishment distributing food or other essentials of life to people in need;

(E) place of worship;

(F) facility:

(i) regulated by the Child Development Division of the Department for Children and Families; or

(ii) licensed as a children's camp pursuant to 18 V.S.A. § 4301 or that serves as a day camp; or

(G) health care facility, as that term is defined in 18 V.S.A. § 9402(6).

(2) Exceptions. Subdivision (1) of this subsection shall not apply to:

(A) an arrest pursuant to a judicially issued warrant or a court order;

(B) an arrest for contempt of the court where the proceeding is occurring; or

(C) an arrest to maintain order or safety in the court where the proceeding is occurring.

(3) Remedies.

(A) A person who violates this subsection (c) by knowingly and willfully executing or assisting with an arrest prohibited by subdivision (1) of this subsection (c) shall be subject to contempt proceedings and:

(i) may be liable in a civil action for false imprisonment; and

(ii) shall be subject to contempt proceedings, if the arrest is pursuant to subdivision (1)(A) of this subsection (c).

(B) A person who is arrested in violation of subdivision (1) of this subsection (c) may bring a civil action against the violator for damages; injunctive, equitable, or declaratory relief; punitive damages; and reasonable costs and attorney's fees.

(C) The Office of the Attorney General may bring a civil action on behalf of the State of Vermont for appropriate injunctive, equitable, or declaratory relief if there is reasonable cause to believe that a violation of subdivision (1) of this subsection (c) has occurred or will occur.

(D) No action under this subsection (c) shall be brought against the Judiciary or any of its members or employees for actions taken to maintain order or safety in the courts.

(E) This section shall not be construed to limit or infringe upon any right, privilege, or remedy available under common law or any other provision of law or rule.

(F) Notwithstanding section 3578 of this title, the protections and remedies afforded by this subsection (c) apply irrespective of when the privilege against civil arrest is invoked.

(4) ~~Definition~~ Definitions. As used in this subsection~~;~~:

(A)(i) "civil Civil arrest" means an arrest for purposes of obtaining a person's presence or attendance at a civil proceeding, including an immigration proceeding.

(ii) “Civil arrest” does not include:

(I) temporary custody of a person pending a warrant pursuant to 18 V.S.A. § 7505(b); or

(II) holding a person for admission to a hospital for an emergency examination pursuant to 18 V.S.A. § 7504.

(B)(i) “Educational institution” means:

(I) a public school, as that term is defined in 16 V.S.A. § 11(7);

(II) an independent school, as that term is defined in 16 V.S.A. § 11(8);

(III) a regional CTE center, as that term is defined in 16 V.S.A. § 1522(4);

(IV) an approved education program, as that term is defined in 16 V.S.A. § 11(34);

(V) a prequalified private prekindergarten provider, as that term is defined in 16 V.S.A. § 829(a)(3);

(VI) a postsecondary school, as that term is defined in 16 V.S.A. § 176(b)(1);

(VII) an educational program operated by a Board of Cooperative Education Services pursuant to 16 V.S.A. chapter 10;

(VIII) a tutorial program, as that term is defined in 16 V.S.A. § 11(27); and

(IX) an adult education and secondary credential program operated pursuant to 16 V.S.A. § 945.

(ii) “Educational institution” also extends to grounds operated by, activities sponsored by, transportation provided by, and programs related to educational institutions.

(C) “Polling place” means a place that a municipality has designated to the Secretary of State as a polling place pursuant to 17 V.S.A. § 2502(f).

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

And that when so amended the bill ought to pass.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the recommendation of amendment was agreed to, and third reading of the bill was ordered on a roll call, Yeas 27, Nays 2.

Senator Hashim having demanded the yeas and nays, they were taken and are as follows:

Roll Call

Those Senators who voted in the affirmative were: Baruth, Beck, Benson, Bongartz, Brennan, Brock, Chittenden, Clarkson, Collamore, Cummings, Gulick, Hardy, Harrison, Hashim, Heffernan, Lyons, Major, Mattos, Norris, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, Weeks, Westman, White.

Those Senators who voted in the negative were: Ingalls, Williams.

The Senator absent and not voting was: Morley.

Adjournment

On motion of Senator Baruth, the Senate adjourned until eleven o'clock and thirty minutes in the morning.