

# Journal of the Senate

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THURSDAY, MAY 7, 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 Governor

A message was received from His Excellency, the Governor, by Ms. Jaye Pershing Johnson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the sixth day of May he approved and signed bills originating in the Senate of the following titles:

**S. 181.** An act relating to eliminating the requirement for a presentence investigation for imposition of a deferred sentence.

**S. 163.** An act relating to the role of advanced practice providers in hospital care.

## Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Jaye Pershing Johnson, Secretary of Civil and Military Affairs, as follows:

Mr. President:

I am directed by the Governor to inform the Senate that on the sixth day of May he returned without signature and *vetoed* a bill originating in the Senate of the following title:

**S. 218.** An act relating to reducing chloride contamination of State waters.

## Text of Communication from Governor

The text of the communication to the Senate from His Excellency, the Governor, whereby he vetoed and returned unsigned **Senate Bill No. S. 218** to the Senate is as follows:

“May 6, 2026

The Honorable John Bloomer  
Secretary of the Senate  
State House  
Montpelier, VT 05633

Dear Mr. Bloomer:

Pursuant to Chapter II, Section 11 of the Vermont Constitution, I’m returning unsigned and without my approval, in the time permitted by the Constitution, S.218, *An act relating to reducing chloride contamination of state waters.*

I agree with the bill’s intent and while we’ve made progress over the years, I believe we should continue to limit the amount of salt that eventually ends up in our waterways. However, I’m concerned about the liability and unintended consequences this bill creates.

By requiring Vermont’s municipalities and commercial businesses to reduce the amount of salt and salt alternatives used to make roadways, parking lots, stairs and sidewalks safer during the winter months, it could result in more injuries and vehicle accidents leading to increased liability, risk of litigation, and expense.

If this is a priority, the Legislature should add a provision relieving municipalities and private entities of this new legal risk rather than increasing the financial burden of this policy on Vermonters.

Sincerely,  
Philip B. Scott  
Governor

PBS/kp”

### **Rules Suspended; Bill Committed**

#### **H. 772.**

Pending entry on the Calendar for notice, on motion of Senator Hashim the rules were suspended and 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 for immediate consideration.

Thereupon, pending the reading of the report of the Committee on Judiciary, Senator Hashim moved that Senate Rule 49 be suspended in order to commit the bill to the Committee on Economic Development, Housing and General Affairs with the report of the Committee on Judiciary *intact*,

Which was agreed to.

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**Bill Referred to Committee on Appropriations****H. 907.**

House bill of the following title, appearing on the Calendar for notice, and carrying an appropriation or requiring the expenditure of funds, under the rule, was referred to the Committee on Appropriations:

An act relating to legislative review of reporting requirements.

**Bills Passed in Concurrence**

House bills of the following titles were read the third time and passed in concurrence:

**H. 270.** An act relating to confidentiality in peer support sessions for emergency service providers.

**H. 385.** An act relating to remedies and protections for victims of coerced debt.

**Bills Passed in Concurrence with Proposal of Amendment**

House bills of the following titles were read the third time and passed in concurrence with proposal of amendment:

**H. 639.** An act relating to genetic data privacy.

**H. 739.** An act relating to prohibiting the use and sale of the herbicide paraquat.

**Third Reading; Action Postponed****H. 952.**

House bill of the following title was read the third time:

An act relating to capital construction and State bonding budget adjustment.

Thereupon, pending the question, Shall the bill pass in concurrence with proposal of amendment?, on motion of Senator Baruth, action was postponed until later in the legislative day.

**Proposal of Amendment; Third Reading Ordered****H. 816.**

Senator Benson, for the Committee on Health and Welfare, to which was referred House bill entitled:

An act relating to regulating the use of artificial intelligence in the provision of mental health services.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. PURPOSE

It is the purpose of this act to safeguard individuals seeking mental health services in Vermont from psychological harm, including death by suicide, by ensuring that these services are delivered by mental health professionals and not independently by artificial intelligence systems.

Sec. 2. 3 V.S.A. § 129a is amended to read:

§ 129a. UNPROFESSIONAL CONDUCT

(a) In addition to any other provision of law, the following conduct by a licensee constitutes unprofessional conduct. When that conduct is by an applicant or person who later becomes an applicant, it may constitute grounds for denial of a license or other disciplinary action. Any one of the following items or any combination of items, whether the conduct at issue was committed within or outside the State, shall constitute unprofessional conduct:

\* \* \*

(30) For any mental health professional, engaging in the prohibited use of artificial intelligence pursuant to 18 V.S.A. § 7115.

\* \* \*

Sec. 3. 18 V.S.A. § 7115 is added to read:

§ 7115. PROHIBITED USES OF ARTIFICIAL INTELLIGENCE

(a) As used in this section:

(1) “Artificial intelligence” means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(2) “Mental health professional” means an individual licensed, certified, or rostered, respectively, to provide mental health services as a physician pursuant to 26 V.S.A. chapter 23 or 33; an advanced practice registered nurse specializing in psychiatric mental health pursuant to 26 V.S.A. chapter 28; a psychologist pursuant to 26 V.S.A. chapter 55; a peer support provider or peer recovery support specialist pursuant to 26 V.S.A. chapter 60; a social worker pursuant to 26 V.S.A. chapter 61; an alcohol and drug abuse counselor pursuant to 26 V.S.A. chapter 62; a clinical mental health counselor pursuant to 26 V.S.A. chapter 65; a marriage and family therapist pursuant to 26 V.S.A.

chapter 76; a psychoanalyst pursuant to 26 V.S.A. chapter 77; an applied behavior analyst pursuant to 26 V.S.A. chapter 95; a nonlicensed or noncertified psychotherapist or a noncertified psychoanalyst; or any other professional who provides mental health services.

(3) “Mental health services” means counseling, therapy, or psychotherapy services used to diagnose or treat an individual’s mental or behavioral health or provide ongoing recovery support, including providing therapeutic decisions, issuing direct therapeutic communications, generating treatment plans or recommendations, or detecting or interpreting emotion or mental states.

(4) “Therapeutic communication” means a written, verbal, or nonverbal interaction intended to diagnose or treat any type of mental or behavioral health concern, provide ongoing recovery support, or provide any advice related to diagnosis, treatment, or recovery, such as:

(A) engaging in direct interactions with clients or patients for the purpose of understanding or reflecting the client’s or patient’s thoughts;

(B) providing guidance, therapeutic strategies, or interventions designed to achieve mental health outcomes;

(C) offering emotional support, reassurance, or empathy in response to emotional or psychological distress;

(D) collaborating with a patient or client to develop or modify treatment plans or therapeutic goals; and

(E) delivering feedback intended to promote growth or address mental health outcomes.

(5) “Therapeutic decision” means the final clinical determination regarding diagnosis or the selection, modification, or termination of treatment or care.

(b) An individual, corporation, or other entity shall not offer or provide mental health services through artificial intelligence without the review and approval of a mental health professional.

(c)(1) A violation of this section by a corporation; an entity; or an individual who is not licensed, certified, or rostered as a mental health professional shall be deemed a violation of the Consumer Protection Act, 9 V.S.A. chapter 63. The Attorney General has the same authority, and private parties have the same rights and remedies, as provided under 9 V.S.A. chapter 63, subchapter 1. Each violation of this section shall carry a civil penalty of \$10,000.00 as set forth in 9 V.S.A. § 2461.

(2) Nothing in this section shall be construed to preclude or supplant any other statutory or common law remedies.

(d) Nothing in this section shall preclude a mental health professional who is operating within the professional's scope of practice from utilizing artificial intelligence tools that are compliant with the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, provided that the mental health professional reviews and approves any mental health services.

Sec. 4. 26 V.S.A. § 1354 is amended to read:

§ 1354. UNPROFESSIONAL CONDUCT

(a) Prohibited conduct. The Board shall find that any one of the following, or any combination of the following, whether the conduct at issue was committed within or outside the State, constitutes unprofessional conduct:

\* \* \*

(3) engaging in the prohibited use of artificial intelligence pursuant to 18 V.S.A. § 7115;

\* \* \*

Sec. 5. REPORT; USE OF ARTIFICIAL INTELLIGENCE IN REGULATED PROFESSIONS

On or before January 15, 2027, the Office of Professional Regulation and the Board of Medical Practice shall jointly submit a written report to the House Committees on Government Operations and Military Affairs, on Health Care, and on Human Services and the Senate Committees on Government Operations and on Health and Welfare containing recommendations for the regulation of the use of artificial intelligence by regulated professionals, including recommendations for legislative action.

Sec. 6. EFFECTIVE DATE

This act shall take effect on passage.

And that the bill ought to pass in concurrence with such proposal of amendment.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the proposal of amendment was agreed to, and third reading of the bill was ordered.

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**House Proposal of Amendment Concurred In****S. 173.**

House proposal of amendment to Senate bill entitled:

An act relating to vocational rehabilitation.

Was taken up.

The House proposes to the Senate to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 21 V.S.A. § 641 is amended to read:

§ 641. VOCATIONAL REHABILITATION

(a) When as a result of an injury covered by this chapter, an employee is unable to perform work for which the employee has previous training or experience, the employee shall be entitled to vocational rehabilitation services, including retraining and job placement, as may be reasonably necessary to restore the employee to suitable employment. Vocational rehabilitation services shall be provided as follows:

\* \* \*

(2) The Department shall provide an injured worker with a form that includes information and employee rights. The form shall clearly and simply explain the worker's rights, including the choice of provider, the right to challenge a determination, the right to request vocational rehabilitation services in the future if the work injury affects the worker's ability to earn the worker's preinjury wage, and reimbursement for related expenses. The worker shall sign the form and return it to the Department.

\* \* \*

Sec. 2. VOCATIONAL REHABILITATION WORKING GROUP; REPORT

(a) Creation. There is created the Vocational Rehabilitation Working Group to provide recommendations to the General Assembly on how to improve the current vocational rehabilitation system to ensure that it meets the needs of eligible injured workers in a timely and cost-effective manner.

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

(1) one current member of the House of Representatives, appointed by the Speaker of House, who shall be a member of the Committee on Commerce and Economic Development;

(2) one current member of the Senate, appointed by the Committee on Committees, who shall be a member of the Committee on Economic Development, Housing and General Affairs;

(3) the Commissioner of Labor or designee;

(4) the Commissioner of Financial Regulation or designee;

(5) two representatives on behalf of workers' compensation claimants, one of whom shall be appointed by the Speaker of the House and one of whom shall be appointed by the Committee on Committees;

(6) two representatives on behalf of employers and workers' compensation insurance carriers, one of whom shall be appointed by the Speaker of the House and one of whom shall be appointed by the Committee on Committees; and

(7) two vocational rehabilitation counselors currently certified in Vermont, one of whom shall be appointed by the Speaker of the House and one of whom shall be appointed by the Committee on Committees.

(c) Powers and duties. The Working Group shall meet over the summer and fall to discuss and develop recommendations on how to improve the current vocational rehabilitation system and prepare recommendations for consideration by the General Assembly. The Working Group shall consider the following topics:

(1) Initial screening.

(A) Is the current initial screening requirement relevant and helpful or a hindrance to accessing vocational rehabilitation services?

(B) Do other states require an initial screening before a claimant receives a vocational rehabilitation assessment? What are other possible approaches that Vermont may wish to consider?

(C) Should the three questions currently asked as part of the initial screening be modified? Are there additional or different questions that should be asked?

(D) What improvements could be made to ensure that those conducting the initial screenings and vocational rehabilitation providers who provide services to workers' compensation claimants are familiar with Vermont's workers' compensation system?

(E) Who has current oversight over the initial screening process to ensure that the system is working as intended?

(2) Vocational rehabilitation generally.

(A) What mechanisms could better and earlier identify which claimants are likely to require vocational rehabilitation services?

(B) Are claimants being adequately and timely informed of their right to request a vocational rehabilitation assessment? Is information about the workers' compensation system and benefits as a whole being clearly conveyed in plain, easily understood language?

(C) Are some of the current requirements for providing vocational rehabilitation services too onerous and administratively unnecessary?

(D) How could vocational rehabilitation services be provided in a way that is more cost-effective for the workers' compensation system?

(E) How could the Department of Labor's oversight of vocational rehabilitation be improved?

(3) Wage replacement benefits.

(A) Could utilization of vocational services be improved by enabling claimants to access vocational rehabilitation benefits while receiving wage replacement benefits?

(B) Could the workers' compensation system take into account the diminished earning capacity of those claimants who are unable to earn a preinjury wage but are not eligible to receive permanent total disability benefits?

(C) Should the average weekly wage be indexed to the cost of living for vocational rehabilitation purposes?

(d) Meetings. The Commissioner of Labor or designee shall serve as the chair of the Working Group and shall call the first meeting of the Working Group to occur on or before August 14, 2026.

(e) Assistance. The Working Group shall have the administrative, technical, and legal assistance of the Department of Labor.

(f) Report. On or before December 15, 2026, the Working Group shall submit a written report to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action. The Working Group shall cease to exist upon submission of the report.

(g) Compensation and reimbursement.

(1) Except for those members regularly employed by the State, members of the Working Group shall be entitled to 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 of Labor.

(2) A legislative member of the Working Group serving in the member's capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than five meetings. These payments shall be made from monies appropriated to the General Assembly.

Sec. 3. 21 V.S.A. chapter 13 is amended to read:

#### CHAPTER 13. APPRENTICESHIP

##### § 1111. DEFINITIONS

As used in this chapter:

\* \* \*

(22) “Nontraditional apprenticeship population” means a group of individuals who have historically been excluded from various occupations, such as individuals from the same gender, race, or ethnicity, the members of which comprise fewer than 25 percent of the program participants in an apprenticeable occupation.

(23) “Nontraditional apprenticeship industry or occupation” refers to an industry sector or occupation that represents fewer than 10 percent of apprenticeable occupations or the programs under the national apprenticeship system, using the calendar year 2023 as the benchmark.

\* \* \*

(33) “Underserved communities” means the populations sharing a particular characteristic, as well as geographic communities, who have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. This term includes individuals who ~~belong to communities of color, such as Black and African American, Hispanic and Latino, Native American, Alaskan Native and Indigenous, Asian American, Native Hawaiian and Pacific Islander, Middle Eastern, and North African persons. It also includes individuals who belong to communities that face discrimination based on sex, sexual orientation, and gender identity, including lesbian, gay, bisexual, transgender, queer, gender non-conforming, and non-binary (LGBTQ+ persons); persons who face discrimination based on pregnancy or pregnancy-related conditions; parents; and caregivers. It also includes individuals who belong to communities that face discrimination based on their religion and disability; first-generation professionals or first-generation college students; individuals with limited English proficiency; immigrants; individuals who belong to communities that may face employment barriers based on older age or former incarceration; persons who live in rural areas; veterans and military spouses; and persons otherwise adversely affected by persistent poverty, discrimination, or inequality;~~

- (A) face employment barriers based on age or former incarceration;
- (B) live in rural areas;
- (C) lack access to transportation options or high-speed internet;
- (D) are veterans or spouses of veterans; and
- (E) are otherwise adversely affected by poverty, discrimination, or inequality. ~~Individuals may belong to more than one underserved community and face intersecting barriers.~~

\* \* \*

§ 1113. VERMONT REGISTERED APPRENTICESHIP PROGRAM

\* \* \*

(e) Strategic planning and reporting. The Vermont Registered Apprenticeship Program shall:

(1) develop and disseminate a strategic plan once every five years, beginning on July 1, ~~2024~~ 2026, which shall include information on how the Program will implement the requirements of this chapter;

(2) prepare and submit to the Vermont General Assembly an annual report on the status of the Vermont Registered Apprenticeship Program on or before December 1 of each year that includes:

(A) ~~general program~~ Program statistics, including a list of programs by county;

(B) an analysis of apprentices in the ~~program~~ Program disaggregated by age, race, sex, gender identity, ~~New American status~~ language access needs, Veteran status, disability, industry, and education status, including participation in career ~~and~~ technical education;

(C) nontraditional occupations by gender and race;

(D) new occupations approved;

(E) an analysis of the average starting and ending wage by occupation;

(F) new sponsors, employers, or industries involved with programs over the previous period;

(G) a summary of how allocated funds were used and analysis of the impact of those funds, including uses of any federal funds awarded during the year; and

(H) a summary of significant activities of the ~~program~~ Program.

## § 1114. VERMONT APPRENTICESHIP ADVISORY BOARD

\* \* \*

(c) Duties. The Board shall:

\* \* \*

(6) Create and convene working groups that are tasked with specific activities related to improving the quality, safety, diversity, and alignment of apprenticeship programs. Working group membership is not limited to appointed members of the Board and shall be selected and serve at the discretion of the Chair.

(7) Ensure that the registered apprenticeship program addresses barriers to participation and completion of the program, including underserved populations.

(8) Strengthen relationships with community partners that serve:

(A) underserved populations and historically marginalized communities that have not previously accessed apprenticeship programs; and

(B) individuals who face systemic barriers to participation in the program as evidenced by a disproportionate lack of participation in apprenticeship programs.

\* \* \*

## § 1119. APPRENTICES REGISTERED; AGREEMENT

\* \* \*

(c) An apprenticeship agreement shall contain:

(1) the names and signatures of the apprentice, of the program sponsor or employer, and of a parent or guardian of the apprentice if the apprentice is a minor;

(2) the date of birth ~~and Social Security number~~ of the apprentice;

(3) the contact information of the program sponsor and the Vermont Registered Apprenticeship Program;

(4) a statement of the occupation in which the apprentice is to be trained and the beginning date and duration of apprenticeship;

\* \* \*

(12) to conform to the federal Equal Employment Opportunity Act of 1972, 42 U.S.C. chapter 21, subchapter VI and for affirmative action compliance in apprenticeship programs, and for compliance with reporting and analysis of the Vermont Registered Apprenticeship Program, the voluntary disclosure of the apprentice's race, color, national origin, place of birth, sex, gender, gender identity, primary language spoken, age, veteran status, sexual orientation, ethnicity, and disability status; ~~and~~

(13) if the apprentice completed secondary school in Vermont and is between 18 and 25 years of age, the name of the secondary school from which the apprentice is a graduate, and if the apprentice attended a regional CTE center, the name of the center where the apprentice received technical education while in secondary school;

(14) a statement that the apprentice will be accorded equal opportunity in all phases of apprenticeship employment and training, without discrimination because of race, color, national origin, place of birth, sex, gender, gender identity, sexual orientation, age, primary language spoken, genetic information, veteran status, and disability status; and

(15) optional fields for:

(A) the Social Security number of the apprentice; and

(B) the demographic characteristics of the apprentice.

(d) An apprenticeship agreement shall not be modified unless it is in writing and signed by the parties.

\* \* \*

#### § 1123. PRE-APPRENTICESHIP PROGRAMS

\* \* \*

(b) A pre-apprenticeship program may be ~~registered~~ certified by the Department after successfully demonstrating:

\* \* \*

#### § 1124. YOUTH APPRENTICESHIP PROGRAMS

(a) A youth apprenticeship program is one that prepares a youth apprentice for acceptance into an apprenticeship program and is designed for youth apprentices who ~~start the program while still enrolled in high school;~~

(1) have not completed secondary education;

(2) are in an educational program approved by the Agency of Education; and

(3) are enrolled in a career technical education program.

(b) A youth apprenticeship program may be registered by the Department after submitting a regional CTE center submits the following information to the Department:

(1) a written plan that articulates the work processes and how a youth apprentice will receive supervised work experience and on-the-job training or training in an experiential setting;

(2) how time spent by a youth apprentice in each major work process will be spent or that specifies how competencies or proficiencies are aligned between ~~their~~ the youth's high school education and the youth apprenticeship program, and that states which graduation requirements will be met;

(3) a description of the mentoring that will be provided to the youth apprentice;

(4) a description or timeline explaining the periodic reviews and evaluations of the youth ~~apprentices~~ apprentice's performance on the job and in related technical instruction;

(5) a process for maintaining appropriate progress records, including the reviews and evaluations;

(6) a description of related classroom-based instruction, which may be fulfilled through dual or concurrent enrollment ~~in secondary or post-secondary courses;~~

(7) whether and how the program is aligned with high school diploma requirements ~~and career clusters;~~

(8) whether the program meets the related technical instruction requirements for an apprenticeship program;

(9) if a program includes paid work during or outside the school year and outside the school day, a progressively increasing, clearly defined schedule of wages to be paid to the youth apprentice as skills are mastered;

(10) how the program prepares the youth apprentice for placement in further education, employment, or ~~an~~ a registered apprenticeship program; ~~and~~

(11) ~~the terms by which the program grants advanced standing or credit to individuals applying for the youth apprenticeship with demonstrated competency or acquired experience, training, or skills~~ the procedure for advanced standing that grants credit for demonstrated competency, acquired experience, training, or skills to youths who are interested in transferring to full apprenticeship registration upon completion of the youth apprenticeship program;

(12) an accounting of costs for the program covered by the participating partners, grants, or other sources of funds; and

(13) an assurance that school staff, employer partners, and others involved in the program are aware of youth legal protections regarding child labor, wage payment, and youth apprenticeship and other applicable laws and regulations.

(c) An apprenticeship plan submitted in conformity with subsection (b) of this section shall be developed in partnership with apprenticeship sponsors for specific occupational areas and sending high schools.

\* \* \*

#### Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: “An act relating to vocational rehabilitation and apprenticeships”

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

#### **Proposal of Amendment; Third Reading Ordered**

#### **S. 329.**

Senator Baruth, for the Committee on Judiciary, to which was referred House bill entitled:

An act relating to criminal procedures involving firearms.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 4017 is amended to read:

§ 4017. PERSONS PROHIBITED FROM POSSESSING FIREARMS;  
CONVICTION OF VIOLENT CRIME

(a) A person shall not possess a firearm if the person has been convicted of a violent crime.

(b) A person who violates this section shall:

(1) for a first offense, be imprisoned not more than two years or fined not more than \$1,000.00, or both; or

(2) for a second or subsequent offense, be imprisoned not more than three years or fined not more than \$5,000.00, or both.

(c) This section shall not apply to a person who is exempt from federal firearms restrictions under 18 U.S.C. § 925(c).

(d) As used in this section:

(1)(A) “Firearm” means:

(i) any weapon (including a starter gun) that will or is designed to or may readily be converted to expel a projectile by the action of an explosive;

(ii) the frame or receiver of any such weapon; or

(iii) any firearm muffler or firearm silencer.

(B) “Firearm” ~~shall~~ does not include an antique firearm.

(2) “Antique firearm” means:

(A) Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898.

(B) Any replica of any firearm described in subdivision (A) of this subdivision (2) if the replica:

(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or

(ii) uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not readily available in the ordinary channels of commercial trade.

(C) Any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol that is designed to use black powder or a black powder substitute and that cannot use fixed ammunition. As used in this subdivision (C), “antique firearm” ~~shall~~ does not include a weapon that incorporates a firearm frame or receiver, a firearm that is converted into a muzzle loading weapon, or any muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

(3) “Violent crime” means:

(A)(i) A listed crime as defined in subdivision 5301(7) of this title other than:

(I) lewd or lascivious conduct as defined in section 2601 of this title;

(II) recklessly endangering another person as defined in section 1025 of this title;

(III) operating a vehicle under the influence of alcohol or other substance with either death or serious bodily injury resulting as defined in 23 V.S.A. § 1210(f) and (g);

(IV) careless or negligent operation resulting in serious bodily injury or death as defined in 23 V.S.A. § 1091(b);

(V) leaving the scene of an accident resulting in serious bodily injury or death as defined in 23 V.S.A. § 1128(b) or (c); or

(VI) a misdemeanor violation of chapter 28 of this title, relating to abuse, neglect, and exploitation of vulnerable adults; or

(ii) a comparable offense and sentence in another jurisdiction if the offense prohibits the person from possessing a firearm under 18 U.S.C. § 922(g)(1) or 18 U.S.C. § 921(a)(20).

(B) An offense involving sexual exploitation of children in violation of chapter 64 of this title, or a comparable offense and sentence in another jurisdiction if the offense prohibits the person from possessing a firearm under 18 U.S.C. § 922(g)(1) or 18 U.S.C. § 921(a)(20).

(C) A violation of 18 V.S.A. § 4231(b)(2), (b)(3), or (c) (selling, ~~dispensing,~~ or trafficking cocaine); 4232(b)(2) or (b)(3) (selling ~~or dispensing~~ LSD); 4233(b)(2), (b)(3), or (c) (selling, ~~dispensing,~~ or trafficking heroin); 4234(b)(2) or (b)(3) (selling ~~or dispensing~~ depressants, stimulants, and narcotics); 4234a(b)(2), (b)(3), or (c) (selling, ~~dispensing,~~ or trafficking methamphetamine); 4235(c)(2) or (c)(3) (selling ~~or dispensing~~ hallucinogenic drugs); 4235a(b)(2) or (b)(3) (selling ~~or dispensing~~ Ecstasy), or a comparable offense and sentence in another jurisdiction if the offense prohibits the person from possessing a firearm under 18 U.S.C. § 922(g)(1) or 18 U.S.C. § 921(a)(20).

(D) A conviction of possession with intent to distribute a controlled substance other than cannabis in another jurisdiction if the offense prohibits the person from possessing a firearm under 18 U.S.C. § 922(g)(1) or 18 U.S.C. § 921(a)(20).

Sec. 2. 13 V.S.A. § 4017a is amended to read:

§ 4017a. FUGITIVES FROM JUSTICE; PERSONS SUBJECT TO FINAL RELIEF FROM ABUSE OR STALKING ORDER; PERSONS CHARGED WITH CERTAIN OFFENSES; PROHIBITION ON POSSESSION OF FIREARMS

(a) A person shall not possess a firearm if the person:

(1) is a fugitive from justice;

(2) is the subject of a final relief from abuse order issued pursuant to 15 V.S.A. § 1103;

(3) is the subject of a final order against stalking issued pursuant to 12 V.S.A. § 5133 if the order prohibits the person from possessing a firearm; ~~or~~

(4) is a person against whom charges are pending for:

(A) carrying a dangerous weapon while committing a felony in violation of section 4005 of this title;

(B) trafficking a regulated drug in violation of 18 V.S.A. chapter 84, subchapter 1; ~~or~~

(C) human trafficking or aggravated human trafficking in violation of section 2652 or 2653 of this title; or

(5)(A)(i) has been found by the court to be a person in need of treatment or a patient in need of further treatment pursuant to section 4822 of this title and:

(I) not guilty by reason of insanity of a violent crime as defined in section 4017 of this title; or

(II) incompetent to stand trial for a violent crime as defined in section 4017 of this title; or

(ii) is the subject of a hospitalization order issued by the court pursuant to 18 V.S.A. § 7617(b)(1) or (2) or a nonhospitalization order issued by the court pursuant to 18 V.S.A. § 7617(b)(3).

(B) Subdivision (A) of this subdivision (5) shall not apply to a person if the Family Division grants a petition for relief from firearms disability for the person pursuant to section 4825 of this title.

(b) A person who violates this section shall:

(1) for a first offense, be imprisoned not more than two years or fined not more than \$1,000.00, or both; or

(2) for a second or subsequent offense, be imprisoned not more than three years or fined not more than \$5,000.00, or both.

(c) As used in this section:

(1) “Firearm” has the same meaning as in section 4017 of this title.

(2) “Fugitive from justice” means a person who has fled:

(A) to avoid prosecution for a ~~crime~~ Vermont criminal offense or for an offense that would be a crime if committed in Vermont; or

(B) to avoid giving testimony in a criminal proceeding.

Sec. 3. 13 V.S.A. § 4019a is amended to read:

§ 4019a. FIREARMS TRANSFERS; WAITING PERIOD

(a)(1) A person shall not transfer a firearm to another person until 72 hours after the licensed dealer facilitating the transfer is provided with a unique identification number for the transfer by the National Instant Criminal Background Check System (NICS) or seven business days have elapsed since the dealer contacted NICS to initiate the background check, whichever occurs first.

(2) If a firearm is transferred by mail, the 72-hour waiting period required by subdivision (1) of this subsection shall commence when the order is placed. This subdivision shall not apply unless the transferee provides the licensed dealer facilitating the transfer with a receipt and documentation of a verified tracking number indicating the date the firearm was purchased and mailed. If the transferee fails to provide a receipt and documentation of a verified tracking number that satisfactorily indicates the purchase and mailing dates to the dealer, the dealer shall refuse to transfer the firearm to the transferee until completion of the waiting period required by subdivision (1) of this subsection.

(b) A person who transfers a firearm to another person in violation of subsection (a) of this section shall be imprisoned not more than one year or fined not more than \$500.00, or both.

(c) This section shall not apply to a firearm transfer that does not require a background check under 18 U.S.C. § 922(t) or section 4019 of this title.

(d) As used in this section, “firearm” has the same meaning as in subsection 4017(d) of this title.

(e) [Repealed.]

(f) This section shall not apply to the return of a firearm, frame, or receiver to a person by a licensed dealer after the dealer has serialized it pursuant to federal law or section 4084 of this title if the dealer returns the firearm, frame, or receiver to the same person from whom it was received.

Sec. 4. 13 V.S.A. § 4022 is amended to read:

§ 4022. BUMP-FIRE STOCKS; MACHINE GUNS; POSSESSION PROHIBITED

(a) As used in this section,;

(1) ~~“bump-fire stock”~~ “Bump-fire stock” means a butt stock designed to be attached to a semiautomatic firearm and intended to increase the rate of fire achievable with the firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate a reciprocating action that facilitates the repeated activation of the trigger.

(2) “Machine gun” means any weapon that shoots, is designed to shoot, or can be readily restored to shoot automatically more than one shot without manual reloading, by a single function of the trigger. The term also includes the frame or receiver of any such weapon; any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machine gun; and any combination of parts from which a machine gun can be assembled if the parts are in the possession or under the control of a person. The term does not include any weapon or other item that is registered in the National Firearms Registration and Transfer Record maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives, or that is otherwise not subject to that registration requirement.

(b) A person shall not possess a bump-fire stock or a machine gun. A person who violates this subsection shall be imprisoned not more than one year or fined not more than \$1,000.00, or both.

(c) The Department of Public Safety shall develop, promote, and execute a collection process that permits persons to voluntarily and anonymously relinquish bump-fire stocks prior to ~~the effective date of this section~~ October 1, 2018.

Sec. 5. 13 V.S.A. § 4028 is added to read:

§ 4028. POSSESSION OF FIREARMS PROHIBITED ON PREMISES  
LICENSED TO SERVE ALCOHOL

(a) A person shall not knowingly possess a firearm on premises where alcohol is licensed to be served.

(b) A person who violates this section shall be imprisoned for not more than one year or fined not more than \$1,000.00, or both.

(c) This section shall not apply to:

(1)(A) a second-class licensed premises, including a premises used for a retail alcoholic beverage tasting permit;

(B) sidewalks or public highways that pass through an outside premises for which a licensee holds an outside consumption permit;

(C) the premises for which a licensee holds a limited event permit, special event permit, or special event serving permit; or

(D) a dining car for which a licensee holds a promotional railroad tasting permit; or

(2) a firearm possessed by:

(A) a federal law enforcement officer or a law enforcement officer certified as a law enforcement officer by the Vermont Criminal Justice Council pursuant to 20 V.S.A. § 2358 for legitimate law enforcement purposes;

(B) a law enforcement officer of another state who is authorized to carry a firearm by the officer's state or local law enforcement agency and is carrying the firearm for legitimate law enforcement purposes;

(C) a member of the Vermont National Guard, of the National Guard of another state, or of the U.S. Armed Forces who is on duty and acting under state or federal orders;

(D) any government officer, agent, or employee authorized to carry a weapon and acting within the scope of that person's duties; or

(E) the holder of the license for the premises, provided that person is not prohibited from possessing a firearm under state or federal law.

(d) The owner or operator of a premises where alcohol is licensed to be served shall cause notice of the provisions of this section to be posted conspicuously at each public entrance to the premises.

(e) As used in this section, "firearm" has the same meaning as in subsection 4017(d) of this title.

Sec. 6. 13 V.S.A. § 4824 is amended to read:

§ 4824. REPORTING; NATIONAL INSTANT CRIMINAL  
BACKGROUND CHECK SYSTEM

(a) If the court finds that a person is a person in need of treatment or a patient in need of further treatment pursuant to section 4822 of this title, the Court Administrator shall within 48 hours report the name of the person subject to the order to the National Instant Criminal Background Check System, established by Section 103 of the Brady Handgun Violence Prevention Act of 1993. The report shall include only information sufficient to identify the person, the reason for the report, and a statement that the report is made in accordance with 18 U.S.C. § 922(g)(4).

\* \* \*

Sec. 7. EFFECTIVE DATE

This act shall take effect on passage.

And that the bill ought to pass in concurrence with such proposal of amendment.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the proposal of amendment was agreed to, on a roll call Yeas 17, Nays 13.

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

#### **Roll Call**

**Those Senators who voted in the affirmative were:** Baruth, Bongartz, Chittenden, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Lyons, Major, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, White.

**Those Senators who voted in the negative were:** Beck, Benson, Brennan, Brock, Collamore, Heffernan, Ingalls, Mattos, Morley, Norris, Weeks, Westman, Williams.

Thereupon, third reading of the bill was ordered, on a roll call, Yeas 17, Nays 13.

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

#### **Roll Call**

**Those Senators who voted in the affirmative were:** Baruth, Bongartz, Chittenden, Clarkson, Cummings, Gulick, Hardy, Harrison, Hashim, Lyons, Major, Perchlik, Plunkett, Ram Hinsdale, Vyhovsky, Watson, White.

**Those Senators who voted in the negative were:** Beck, Benson, Brennan, Brock, Collamore, Heffernan, Ingalls, Mattos, Morley, Norris, Weeks, Westman, Williams.

#### **Proposal of Amendment; Third Reading Ordered**

##### **H. 921.**

Senator Weeks, for the Committee on Economic Development, Housing and General Affairs, to which was referred House bill entitled:

An act relating to alcoholic beverages.

Reported recommending that the Senate propose to the House to amend the bill as follows:

First: In Sec. 2, 7 V.S.A. § 224, in subdivision (c)(1), following “not more than” by striking out “10” and inserting in lieu thereof the word “five”

Second: In Sec. 6, 7 V.S.A. § 271, after the period at the end of subsection (g), by inserting “A licensed manufacturer of malt beverages shall retain copies of records of distribution and sales made pursuant to this subsection. Annually, on or before January 15, a licensed manufacturer shall report to the Division in a manner and form required by the Commissioner the total amount of malt beverages distributed pursuant to this subsection during the preceding 12 months.”

Third: By striking out Sec. 7, 7 V.S.A. § 271 in its entirety and inserting in lieu thereof a new Sec. 7 to read as follows:

Sec. 7. [Deleted.]

Fourth: By adding two new sections to be Secs. 11 and 12 and a reader assistance heading to read as follows:

\* \* \* Caterer’s License \* \* \*

Sec. 11. 7 V.S.A. § 2 is amended to read:

## § 2. DEFINITIONS

As used in this title:

\* \* \*

(5) “Caterer’s license” means a license issued by the Board of Liquor and Lottery authorizing the holder of a first-class license or first- and third-class licenses to serve alcoholic beverages at a function ~~located on premises other than those occupied by a first-, first- and third-, or second-class licensee to sell alcoholic beverages pursuant to section 241 of this title.~~

\* \* \*

Sec. 12. 7 V.S.A. § 241 is amended to read:

## § 241. CATERER’S LICENSE; COMMERCIAL CATERING LICENSE

(a) The Board of Liquor and Lottery may issue a caterer’s license or a commercial catering license to a person who holds a first-class license or first- and third-class licenses. The holder of a caterer’s license is authorized to serve alcoholic beverages at a function located on premises other than those occupied by another first-, first- and third-, or second-class licensee to sell alcoholic beverages. The holder of a caterer’s license may host not more than five functions per calendar year located on the license holder’s own first-, first- and third-, or second-class licensed premises.

\* \* \*

Fifth: By renumbering Sec. 11, effective dates, to be Sec. 13 and in subsection (b) of the new Sec. 13 by striking out the sentence “Sec. 7 shall take effect on July 1, 2028.” and inserting in lieu thereof “[Deleted.]”

And that the bill ought to pass in concurrence with such proposals of amendment.

Senator Brock, for the Committee on Finance, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposals of amendment as recommended by the Committee on Economic Development, Housing and General Affairs.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, and the proposals of amendment of the Committee on Economic Development, Housing and General Affairs were agreed to.

Thereupon, pending the question, Shall the bill be read the third time?, Senator Ram Hinsdale moved to amend the Senate proposal of amendment in Sec. 13, effective dates, in subsection (a), following “This section and Secs. 9” by striking out “and 10 (deleting 2026 sunset of special venue serving permits for retail establishments)” and inserting in lieu thereof “through 12”

Which was agreed to.

Thereupon, third reading was ordered.

### **Proposal of Amendment; Third Reading Ordered**

#### **H. 930.**

Senator Bongartz, for the Committee on Education, to which was referred House bill entitled:

An act relating to addressing and preventing chronic absenteeism.

Reported recommending that the Senate propose to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following

#### Sec. 1. FINDINGS

The General Assembly finds that:

(1) Chronic absenteeism is primarily an issue that should be addressed through preventative, restorative, and assistance-based measures designed to identify barriers to attendance and reconnect students with school. Schools should respond to chronic absenteeism through written attendance support plans, outreach to families, and appropriate academic, behavioral, and community-based supports.

(2) Truancy is distinct from chronic absenteeism and constitutes a student's failure to comply with compulsory attendance requirements under Vermont law. Truancy should serve as a legal enforcement mechanism only after reasonable school-based interventions have been attempted and have not resulted in improved attendance. Truancy proceedings should be reserved for circumstances in which school-based interventions have not been successful and formal legal enforcement is necessary to ensure compliance with compulsory attendance laws.

## Sec. 2. LEGISLATIVE INTENT

It is the intent of the General Assembly that student attendance policies in Vermont schools prioritize early identification, supportive intervention, and meaningful family engagement in order to produce consistent school attendance and student success.

Sec. 3. 16 V.S.A. chapter 25, subchapter 3 is amended to read:

### Subchapter 3. Compulsory Attendance

#### § 1120. DEFINITIONS

As used in this chapter:

(1) "Absence" means a student who is, for at least half the school day when school is open, not physically on school grounds or who is not receiving or attending educational, cocurricular, or athletic services or programming elsewhere pursuant to a program or plan approved by:

(A) the district, if the student is enrolled in a public school; or

(B) an approved independent school, if the student is enrolled in an approved independent school.

(2) "Chronic absenteeism" means a student who is absent for any reason for 10 percent or more of a district's or approved independent school's student attendance days within one school year, regardless of whether the absences are considered excused or unexcused.

(3) "Excused absence" means an absence that is approved by the superintendent or designee, or the head of school or designee for an approved independent school, pursuant to section 1123 of this chapter, either before or after the date or dates of the student's absence. Excused absences shall include days of in- or out-of-school suspension.

(4) "Parent or guardian" shall have its ordinary meaning; provided, however, that it shall also mean a student in the following situations:

(A) the student has reached the age of majority;

(B) the student is an independent student as that term is defined under subsection 1075(h) of this chapter; or

(C) the student qualifies as an unaccompanied youth under the McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§ 11431–11435.

(5) “Truancy” means a student who accumulates 20 or more unexcused absences either within the same school year or within a district’s or approved independent school’s last 175 consecutive student attendance days, regardless of whether the absences were within the same school year.

(6) “Unexcused absence” means any student absence that does not fit one of the categories of excused absences. Failure of the parent or guardian to provide justification for the absence if requested by the superintendent or the head of school for an approved independent school shall also constitute an unexcused absence.

#### § 1121. ATTENDANCE BY CHILDREN OF SCHOOL AGE REQUIRED

~~A person having the control~~ The parent or guardian of a child between the ~~ages of six and 16 years of age~~ shall cause the child to attend a public school, an approved or recognized independent school, an approved education program, or a home study program for the full number of days for which that school is held, unless the child:

(1) per medical recommendation, is mentally or physically unable ~~to~~ attend; ~~or~~

(2) has completed the ~~tenth~~ 10th grade; ~~or~~

(3) is excused by the superintendent or ~~a majority of the school directors~~ designee or the head of school for an approved independent school or designee as provided in this chapter; or

(4) is enrolled in and attending a postsecondary school, as defined in subdivision 176(b)(1) of this title, which is approved or accredited in Vermont or another state.

#### § 1122. STUDENTS UNDER SIX AND OVER 16 YEARS OF AGE

~~A person having the control~~ The parent or guardian of a child who is under six years of age or over 16 years of age who ~~allows the child to become enrolled~~ enrolls the child in kindergarten through grade 12 in a public school or approved independent school shall ~~cause~~ ensure that the child ~~to attend~~ attends the school continually for the full number of the school days of the term in which ~~he or she~~ the child is enrolled, ~~unless the child is mentally or physically unable to continue or is excused in writing by the superintendent or a majority of the school directors.~~ In case of such enrollment, the ~~person and~~

~~the teacher, child, parent or guardian and the superintendent, and school directors or designee or the head of school for an approved independent school or designee shall be under the laws and subject to the penalties relating to the attendance of children between the ages of six and 16 years of age.~~

§ 1123. ATTENDANCE SCHOOL ABSENCE MAY BE EXCUSED

~~(a) The In accordance with the chronic absenteeism and truancy policy required pursuant to section 1124 of this chapter, the superintendent of a public school or designee or the head of school of an approved independent school or designee may excuse, in writing, any student from attending the school for a definite time, but for not more than ten consecutive school days and only for emergencies or for absence from town a student's absence for all or part of the school day and may request justification for an absence.~~

~~(b) The superintendent of an elementary school held for more than 175 school days in a school year may excuse, in writing, a student of the school from attending more than 175 days. [Repealed.]~~

\* \* \*

§ 1124. RESPONSE TO CHRONIC ABSENTEEISM

~~(a) The Agency of Education, in consultation with the Vermont School Boards Association; the Vermont Superintendents Association; the Vermont Principals' Association; the Vermont Independent Schools Association; the Vermont School Counselor Association; the National Association of Social Workers, Vermont Chapter; the Department of State's Attorneys and Sheriffs; and the Department for Children and Families, Family Services Division, shall develop, and review at least every three years, a model policy on the prevention of chronic absenteeism and truancy.~~

~~(1) The model policy shall:~~

~~(A) provide guidance for the reasons a superintendent or designee or head of school of an approved independent school or designee may excuse a student's absence for all or part of the school day;~~

~~(B) provide guidance for when a superintendent or designee or head of school of an approved independent school or designee may request justification for an absence;~~

~~(C) provide guidance for how to address the absence of a child with a disability, as that term is defined in subdivision 2942(1) of this title, in accordance with applicable State and federal law; and~~

(D) consider the impact incidents of hazing, harassment, and bullying may have on student attendance, including the importance of tailored responses to all students struggling with safety and emotional issues that provide such students with the emotional, academic, and social support to facilitate a successful reintegration for returning students.

(2) The Agency shall also develop model procedures to accompany the model policy, which shall include a template for documentation of actions taken according to the policy to address an absence, which shall constitute the truancy reporting protocol. The model procedures shall also include a template for standard documentation to be provided to parents or guardians pursuant to section 1127 of this chapter.

(b) To minimize each student's loss of educational and developmental opportunities, and to ensure equity in the treatment of absenteeism and truancy for all students and families, each school district and each approved independent school shall develop, adopt, ensure the enforcement of, and make available in the manner described under subdivision 563(1) of this title a policy that is designed to prevent and respond to chronic absenteeism and truancy that shall be at least as stringent as the model policy developed by the Agency. Each superintendent and head of school of an approved independent school shall develop and implement procedures to carry out such policies. The policy shall be consistent with definitions in this chapter. A superintendent or a head of school for an approved independent school shall also ensure that data on student absences is collected and recorded in accordance with Agency of Education requirements. Any school board or approved independent school that fails to adopt a policy shall be presumed to have adopted the most current model policy published by the Agency.

\* \* \*

#### § 1126. FAILURE TO ATTEND; NOTICE

When a student between the ages of six and 16 years of age, who is not excused or exempted from school attendance by one of the authorized individuals in accordance with section 1121 of this chapter, fails to enter school at the beginning of the academic year or, being enrolled, fails to attend the school accumulates 20 or more unexcused absences within either the same school year or within the last 175 consecutive student attendance days, and when a student who is under six years of age or at least 16 years of age becomes enrolled in a public school in kindergarten through grade 12 and fails to attend accumulates 20 or more unexcused absences either within the same school year or within the last 175 consecutive student attendance days, the teacher or principal shall notify the truant officer and either the superintendent or the school board, unless the teacher or principal is satisfied that the student

~~is absent on account of illness. For Vermont resident students, the head of school of an approved independent school or designee shall notify the superintendent of the student's district of residence. Upon review of the truancy reporting protocol, the superintendent shall notify the truant officer and Centralized Intake and Emergency Services of the Department for Children and Families' Family Services Division.~~

§ 1127. NOTICE AND COMPLAINT BY TRUANT OFFICER; PENALTY

(a) ~~The truant officer, upon receiving the notice and truancy reporting protocol provided in section 1126 of this title, shall inquire into the cause of the nonattendance of the child. If he or she the truant officer finds that the child is absent without cause child's absences are not excusable under section 1123 of this chapter, the truant officer shall give written notice to the person having the control of the child that the child is absent from school without cause and shall also notify that person to cause the child to attend school regularly thereafter parent or guardian that the parent or guardian must comply with the obligations of section 1122 of this chapter.~~

(b) ~~When, after receiving notice, a person fails, without legal excuse, to cause a child to attend school as required by this chapter, he or she shall be fined not more than \$1,000.00 pursuant to subsection (c) of this section. If the parent or guardian continues to fail, without legal excuse, to cause a child to attend school as required by this chapter after having received the written notice required pursuant to subsection (a) of this section, the truant officer shall enter a complaint to the State's Attorney of the county and shall provide a statement of the evidence and truancy reporting protocol upon which the complaint is based.~~

(c) ~~The truant officer shall enter a complaint to the State's Attorney of the county and shall provide a statement of the evidence upon which the complaint is based. The State's Attorney shall may prosecute the person or may file a child in need of supervision petition in accordance with 33 V.S.A. § 5309. If a criminal information is filed under this section, a person shall not be fined more than \$1,000.00 if, after receiving notice, a person fails, without legal excuse, to cause a child to attend school as required by this chapter. In the a prosecution, the complaint, information, or indictment shall be deemed sufficient if it states that the respondent (naming the respondent) having the control of a child of school age parent or guardian (specifying if the applicable person is a parent or guardian and naming the person) of the child (naming the child) neglects to send that child to a public school or an approved or recognized independent school or a home study program as required by law.~~

§ 1128. LEGAL PUPIL TAKEN TO SCHOOL; NONRESIDENT CHILD LIVING IN DISTRICT

~~(a) A superintendent may and the truant officer shall stop a child between the ages of six and 16 years or a child 16 years of age or over and enrolled in public school, wherever found during school hours, and shall, unless such child is excused or exempted from school attendance, take the child to the school that she or he should attend.~~

~~(b) A child of legal school age who is not exempt from school attendance and who has not finished the elementary school course and is living in a district other than the place of legal residence shall, with the school board's approval, be admitted immediately to a school in the district where he or she is found. If the child is not admitted to school, then immediate action shall be taken by the truant officer to cause the return of the child to the district of his or her residence. [Repealed.]~~

§ 1129. JURISDICTION OF NONRESIDENTS

The superintendent of a school in which a nonresident pupil is enrolled and a truant officer having jurisdiction of the pupils in such school shall have the same authority and jurisdiction over such nonresident pupil and the ~~person~~ parent or guardian having the control of such pupil as they have over resident pupils and the ~~persons having control~~ parent or guardian of such pupils.

\* \* \*

Sec. 4. 16 V.S.A. § 1162 is amended to read:

§ 1162. SUSPENSION OR EXPULSION OF STUDENTS

\* \* \*

(e) A public school or an approved independent school may provide access to alternative education, such as tutoring, instructional materials, and assignments to a student during any period of suspension of three or more days. A public school or an approved independent school may provide access to alternative education, such as tutoring, instructional materials, and assignments to a student who has been expelled, except that the school shall provide educational access to the extent otherwise required by law.

Sec. 5. PREVENTION OF CHRONIC ABSENTEEISM; AGENCY OF EDUCATION POLICY; IMPLEMENTATION

(a) On or before March 15, 2027, the Agency of Education shall submit a written update on the efforts made to develop the model policy required pursuant to 16 V.S.A. § 1124. The Agency shall include the most recent draft model policy and most recent draft templates required to be developed as part of the model policy.

(b) The Agency of Education shall adopt and publish the model policy required pursuant to 16 V.S.A. § 1124 on or before July 1, 2027.

(c) School boards and the governing bodies of approved independent schools shall adopt and implement a chronic absenteeism policy as required by 16 V.S.A. § 1124 on or before July 1, 2028.

Sec. 6. REPEAL

16 V.S.A. § 1076 (penalties) is repealed.

Sec. 7. HOME STUDY PROGRAM; AGENCY OF EDUCATION  
RECOMMENDATIONS; REPORT

On or before December 1, 2026, the Agency of Education shall submit a written report to the House and Senate Committees on Education with recommendations for updates to Vermont's home study program law.

Sec. 8. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

And that the bill ought to pass in concurrence with such proposal of amendment.

Thereupon, the bill was read the second time by title only pursuant to Rule 43, the proposal of amendment was agreed to, and third reading of the bill was ordered.

**House Proposal of Amendment Concurred In**

**S. 142.**

House proposal of amendment to Senate bill entitled:

An act relating to a pathway to licensure for internationally trained physicians and medical graduates.

Was taken up.

The House proposes to the Senate to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. PATHWAY TO LICENSURE FOR INTERNATIONALLY  
TRAINED PHYSICIANS; REPORT

(a) On or before January 15, 2027, the Department of Health, in collaboration with the Board of Medical Practice, shall provide to the House Committees on Health Care and on Government Operations and Military Affairs and the Senate Committees on Health and Welfare and on Government Operations a report detailing a pathway to licensure for internationally trained physicians. The report shall include the following information:

(1) a summary of other states' processes for licensing internationally trained physicians to practice medicine and, if available, data on the outcomes of these processes and related programs;

(2) a description of the external resources needed to evaluate the education, experience, and examinations of internationally trained physicians and the availability of these resources;

(3) a proposal for licensing internationally trained physicians to practice medicine in Vermont, including potential qualifications and supervision requirements for licensure, proposed requirements for recency of practice, a summary of any additional resources and statutory authority needed, and a plan and timeline for implementing the licensing program; and

(4) any additional information that the Department deems relevant to a robust consideration of the issues related to licensing internationally trained physicians to practice medicine in Vermont.

(b) In preparing the report required by this section, the Department shall consult with other states that have implemented licensing programs for internationally trained physicians; the Windham County Branch of the NAACP; third-party credentialing services; the Vermont Medical Society; the Vermont Association of Hospitals and Health Systems; and other advocacy organizations, researchers, and other entities whose expertise is relevant to developing the report.

Sec. 2. 26 V.S.A. § 1391 is amended to read:

§ 1391. QUALIFICATIONS FOR MEDICAL LICENSURE

\* \* \*

(g) Internationally trained physicians. The Board may issue:

(1) a provisional license to practice at a participating health care facility, as defined in section 1397 of this chapter, to an internationally trained physician who meets the requirements for provisional licensure established by the Board by rule pursuant to section 1396 of this chapter; and

(2) a full license to an internationally trained physician who has successfully completed the pathway to licensure established by the Board by rule pursuant to section 1396 of this chapter.

Sec. 3. 26 V.S.A. § 1396 is added to read:

§ 1396. PATHWAY TO LICENSURE FOR INTERNATIONALLY TRAINED PHYSICIANS; RULEMAKING

Pursuant to the authority of the Commissioner in subsection 1351(e) of this chapter, the Board shall adopt rules in accordance with 3 V.S.A. chapter 25 as needed to enable the licensure of internationally trained physicians as set forth in subsection 1391(g) of this chapter. The rules adopted by the Board shall reflect the least restrictive form of regulation necessary to protect the public interest and shall include:

(1) the qualifications necessary for an internationally trained physician to obtain a provisional license to practice at a participating health care facility, as defined in section 1397 of this chapter;

(2) the standards for participating health care facilities to use for the evaluation and assessment of the holder of a provisional license; and

(3) the additional qualifications necessary for an internationally trained physician to obtain a full license to practice medicine in this State following successful completion of the provisional licensure period.

Sec. 4. 26 V.S.A. § 1397 is added to read:

§ 1397. PARTICIPATING HEALTH CARE FACILITIES

(a) As used in this section:

(1) “Health care facility” means a hospital, federally qualified health center, or community health center.

(2) “Participating health care facility” means a health care facility that meets the requirements of this section and has the capacity to provide an assessment and evaluation program designed in accordance with rules adopted by the Board pursuant to section 1396 of this chapter to evaluate an internationally trained physician holding a provisional license issued pursuant to subdivision 1391(g)(1) of this chapter.

(b) In order to be eligible to be a participating health care facility for purposes of subdivision 1391(g)(1) and section 1396 of this chapter, a health care facility shall:

(1) agree to provide medical mentoring, evaluation, assessment, and support in navigating the U.S. health care system by one or more fully licensed physicians employed by the health care facility to a provisionally licensed physician using an evaluation and assessment system that meets the standards established by the Board by rule pursuant to section 1396 of this chapter;

(2) ensure that the mentoring, evaluation, assessment, and support of a provisionally licensed physician is provided by one or more physicians who are licensed under 26 V.S.A. chapter 33 or this chapter and who are physically located in Vermont and that the provisionally licensed physician provides services only to patients physically located in Vermont;

(3) carry medical malpractice insurance covering the provisionally licensed physician for the duration of that physician's employment by the participating health care facility; and

(4) not retaliate against or discipline a provisionally licensed physician for making a complaint or pursuing enforcement of an employment-related claim.

#### Sec. 5. EFFECTIVE DATES

(a) Sec. 1 (pathway to licensure for internationally trained physicians; report) and this section shall take effect on passage.

(b) Sec. 3 (26 V.S.A. § 1396; pathway to licensure for internationally trained physicians; rulemaking) shall take effect on July 1, 2027.

(c) Secs. 2 (26 V.S.A. § 1391; qualifications for medical licensure) and 4 (26 V.S.A. § 1397; participating health care facilities) shall take effect on July 1, 2028.

and that after passage the title of the bill be amended to read: "An act relating to a pathway to licensure for internationally trained physicians"

Thereupon, the question, Shall the Senate concur in the House proposal of amendment?, was decided in the affirmative.

#### **Consideration Resumed; Bill Passed in Concurrence with Proposal of Amendment**

#### **H. 952.**

Consideration was resumed on House bill entitled:

An act relating to capital construction and State bonding budget adjustment.

Thereupon, the pending the question, Shall the bill pass in concurrence with proposal of amendment?, was decided in the affirmative.

#### **Adjournment**

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