

Journal of the Senate

THURSDAY, MAY 21, 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. 70

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

Mr. President:

I am directed to inform the Senate that:

The House has considered a bill originating in the Senate of the following title:

S. 326. An act relating to miscellaneous amendments to laws relating to motor vehicles.

And has passed the same in concurrence with proposal of amendment in the adoption of which the concurrence of the Senate is requested.

Message from the House No. 71

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 considered bills originating in the Senate of the following titles:

S. 197. An act relating to payment reform for primary care.

S. 328. An act relating to housing and common interest communities.

And has passed the same in concurrence with proposals of amendment in the adoption of which the concurrence of the Senate is requested.

The House has considered Senate proposals of amendment to the following House bills:

H. 171. An act relating to criminal justice agency protocols for an officer-involved shooting.

H. 293. An act relating to health equity data reporting and registry disclosure requirements.

H. 577. An act relating to establishing the Vermont Prescription Drug Discount Card Program.

H. 588. An act relating to professions and occupations regulated by the Office of Professional Regulation.

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

And has severally concurred therein.

The House has considered Senate proposal of amendment to House proposal of amendment to Senate bill of the following title:

S. 227. An act relating to creating immigration protocols in Vermont schools.

And has concurred therein.

The Governor has informed the House that on May 20, 2026, he approved and signed bills originating in the House of the following titles:

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.

Bill Referred to Committee on Appropriations

H. 772.

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 residential rental agreements, eviction procedures, and the creation of the positive rental payment credit reporting pilot program.

Bill Passed in Concurrence

H. 550.

House bill of the following title was read the third time and passed in concurrence:

An act relating to gender equity within Vermont's correctional facilities.

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. 841. An act relating to miscellaneous animal welfare procedures.

H. 932. An act relating to the regulation of forestry under Act 250.

Proposal of Amendment; Bill Passed in Concurrence with Proposal of Amendment**H. 937.**

House bill entitled:

An act relating to miscellaneous judiciary procedures.

Was taken up.

Thereupon, pending third reading of the bill, Senator Hashim moved to amend the Senate proposal of amendment in the fourth instance of amendment by striking out “eight” and inserting in lieu thereof “nine” and by striking out “Secs. 40a–40h” and inserting in lieu thereof “Secs. 40a–40i” and by adding a Sec. 40i to read as follows:

Sec. 40i. 13 V.S.A. § 7551 is amended to read:

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

* * *

(b) Limitation on 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 sealing 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 a person 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. 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.

* * *

Which was agreed to.

Thereupon, the bill was read the third time and passed in concurrence with proposal of amendment.

Bill Passed in Concurrence with Proposal of Amendment

H. 938.

House bill of the following title was read the third time and passed in concurrence with proposal of amendment:

An act relating to establishing the Vermont Homelessness Response Continuum.

Third Reading Ordered

H. 902.

Senator Collamore, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to approval of amendments to the charter of the City of Barre.

Reported that the bill ought to pass in concurrence.

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

Proposal of Amendment; Third Reading Ordered

H. 527.

Senator Chittenden, for the Committee on Finance, to which was referred House bill entitled:

An act relating to extending the sunset of 30 V.S.A. § 248a.

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. 30 V.S.A. § 248a is amended to read:

§ 248a. CERTIFICATE OF PUBLIC GOOD FOR COMMUNICATIONS
FACILITIES

* * *

(e) Notice. No less than 60 days prior to filing an application for a certificate of public good under this section, the applicant shall serve written notice of an application to be filed with the Commission pursuant to this section to the legislative bodies and municipal and regional planning commissions in the communities in which the applicant proposes to construct or install facilities; the Secretary of Natural Resources; the Secretary of Transportation; the Division for Historic Preservation; the Commissioner of Public Service and its Director for Public Advocacy; the Land Use Review Board if the application concerns a telecommunications facility for which a permit previously has been issued under 10 V.S.A. chapter 151; and the landowners of record of property adjoining the project sites. In addition, at least one copy of each application shall be filed with each of these municipal and regional planning commissions. The notices to the legislative body and planning commission of the municipality shall attach a statement that itemizes the rights and opportunities available to those bodies under subdivisions (c)(2) and (e)(2) of this section and under subsections (m), (n), and (o) of this section and informs them of the guide published under subsection (p) of this section and how to obtain a copy of that guide.

* * *

(2) ~~On the request of~~ For any application other than a de minimis modification, as defined in subsection (b)(2) or a facility of limited size and scope, as defined in subsection (b)(4), the municipal legislative body or the planning commission; ~~shall hold and~~ the applicant shall attend a duly warned public meeting with the municipal legislative body or planning commission, or both, within the 60-day notice period before filing an application for a certificate of public good. The Department of Public Service shall attend the public meeting ~~on the request of the municipality~~. The Department shall consider the comments made and information obtained at the meeting in making recommendations to the Commission on the application and in determining whether to retain additional personnel under subsection (o) of this section.

* * *

(i) Sunset of Commission authority. Effective on July 1, ~~2026~~ 2029, no new applications for certificates of public good under this section may be considered by the Commission.

* * *

Sec. 2. 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.

Proposal of Amendment; Third Reading Ordered**H. 817.**

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

An act relating to mental health literacy and peer-to-peer supports in schools.

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. LEGISLATIVE INTENT; MENTAL HEALTH LITERACY AND PEER SUPPORT INITIATIVES

It is the intent of the General Assembly that the Department of Mental Health, in collaboration with the Agency of Education, shall oversee a mental health literacy training grant program to provide mental health literacy training to educators, other school personnel, and afterschool staff and a peer-to-peer mental health program to support structured opportunities for student peer connection in a supervised school or afterschool setting to take effect on July 1, 2028.

Sec. 2. FUNDING; MENTAL HEALTH LITERACY AND PEER SUPPORT INITIATIVES

As part of its fiscal year 2028 budget presentation, the Department of Mental Health, in collaboration with the Agency of Education, shall explore potential funding sources for the mental health literacy and peer-to-peer programming described in Sec. 1 of this act, including whether any existing special funds are appropriate sources of funding, and provide recommendations accordingly.

Sec. 3. INVENTORY; MENTAL HEALTH LITERACY AND PEER
SUPPORT INITIATIVES

On or before January 15, 2027, the Department of Mental Health, in collaboration with the Agency of Education and stakeholders, shall submit an inventory of existing mental health programming and services in schools to the House Committees on Appropriations and on Health Care and to the Senate Committees on Appropriations and on Health and Welfare. The inventory shall include a recommendation to integrate the mental health literacy and peer-to-peer programming described in Sec. 1 of this act into the existing programming and services listed in the inventory required pursuant to this section.

Sec. 4. 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.

Senator Lyons, for the Committee on Appropriations, to which the bill was referred, reported recommending that the bill ought to pass in concurrence with proposal of amendment as recommended by the Committee on Health and Welfare.

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.

Proposals of Amendment; Action Postponed

H. 928.

Senator Williams, for the Committee on Natural Resources and Energy, to which was referred House bill entitled:

An act relating to technical corrections to fish and wildlife statutes.

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

First: In Sec. 1, 10 V.S.A. § 4502, in subsection (b), in subdivision (2), by striking out subdivision (SS) in its entirety and inserting in lieu thereof a new subdivision (SS) to read as follows:

(SS) ~~Appendix § 37, section 9.0. Feeding deer [Repealed.]~~

Second: In Sec. 1, 10 V.S.A. § 4502, in subsection (b), in subdivision (3), by striking out subdivision (O) in its entirety and inserting in lieu thereof a new subdivision (O) to read as follows:

(O) Appendix § 7, sections ~~4.0, 4.1, 4.2, 5.3, 6.1, 6.2, 6.3(b), 6.3(d), 6.3(e), 7.1, 7.2, 7.3, and 7.4,~~ and 8.2. Bear, unauthorized taking management rule

Third: In Sec. 1, 10 V.S.A. § 4502, in subsection (b), in subdivision (3), by striking out subdivision (P) in its entirety and inserting in lieu thereof a new subdivision (P) to read as follows:

(P) Appendix § 22, sections ~~4.1, 4.2, 4.3, 4.4, 5.1, 5.2, 5.4, 6.4, and 6.5.~~ Turkey season, excluding: requirements for youth turkey hunting season; and size of shot used or possessed seasons

Fourth: In Sec. 1, 10 V.S.A. § 4502, in subsection (b), in subdivision (3), by striking out subdivision (U) in its entirety and inserting in lieu thereof a new subdivision (U) to read as follows:

(U) Appendix § 37, sections ~~5.1, 6.1, 6.2, 7.1, 7.2, 7.4, 8.1, 8.2, 8.4, 9.1, 9.2, 9.4, 9.5, 12.2, and 14.~~ Deer management rule, excluding requirements for youth deer hunting weekend; requirements for novice season; limitations on feeding of deer; reporting big game; and section 11.0, ban of urine and other natural lures

Fifth: In Sec. 4, 1999 Acts and Resolves No. 1, Sec. 87a, by striking out subdivision (A)(ii)(II) in its entirety and inserting in lieu thereof a new subdivision (A)(ii)(II) to read as follows:

(II) Plan and Involve the Community. Involve Vermont citizens and municipalities ~~in~~ when developing and updating every 10 years a the long-term comprehensive plan for management of portions of the lands which are transferred to it.

Sixth: By striking out Sec. 5, effective date, in its entirety and inserting in lieu thereof four new sections to be Secs. 5–8 to read as follows:

Sec. 5. 9 V.S.A. § 2494d is added to read:

§ 2494d. CERTIFICATE OF COMPLIANCE

(a) The Attorney General may request a certificate of compliance from a manufacturer of a cosmetic or menstrual product. Within 60 days after receipt of the Attorney General's request for a certificate of compliance, the manufacturer shall:

(1) provide the Attorney General with a certificate attesting that the manufacturer's product or products comply with the requirements of this subchapter; or

(2) notify persons who are selling a product of the manufacturer's in this State that the sale is prohibited because the product does not comply with this subchapter and submit to the Attorney General a list of the names and addresses of those persons notified.

(b) A manufacturer required to submit a certificate of compliance pursuant to this section may rely upon a certificate of compliance provided to the manufacturer by a supplier for the purpose of determining the manufacturer's reporting obligations. A certificate of compliance provided by a supplier in accordance with this subsection shall be used solely for the purpose of determining a manufacturer's compliance with this section.

Sec. 6. 9 V.S.A. § 2494w is amended to read:

§ 2494w. DEFINITIONS

As used in this subchapter:

(1) "Bisphenols" means any member of a class of industrial chemicals that contain two hydroxyphenyl groups. Bisphenols are used primarily in the manufacture of polycarbonate plastic and epoxy resins.

(2) "Department" means the Department of Health.

(3) "Food package" or "food packaging" means a package or packaging component that is intended for direct food contact.

(4) "Intentionally added" means the addition of a chemical in a product that serves an intended function in the product component.

(5) "Manufacturer" means any person engaged in the business of making or assembling a consumer product directly or indirectly available to consumers. "Manufacturer" excludes a distributor or retailer, except when a consumer product is made or assembled outside the United States, in which case a "manufacturer" includes the importer or first domestic distributor of the consumer product.

(6) "Ortho-phthalates" means any member of the class of organic chemicals that are esters of phthalic acid containing two carbon chains located in the ortho position.

~~(6)~~(7) "Package" means a container providing a means of marketing, protecting, or handling a product and shall include a unit package, an intermediate package, and a shipping container. "Package" also means unsealed receptacles, such as carrying cases, crates, cups, pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs.

~~(7)~~(8) "Packaging component" means an individual assembled part of a package, such as any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks, and labels, and disposable gloves used in commercial or institutional food service.

(8)(9) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

Sec. 7. 9 V.S.A. § 2494x(d) is amended to read:

(d) This section shall not apply to the sale ~~or resale of used products~~ offer for sale, distribution for sale, or distribution for use of food packaging that has been previously used by a consumer for the intended purpose of the product.

Sec. 8. EFFECTIVE DATES

(a) This section and Secs. 5–7 (PFAS conforming changes) shall take effect on passage.

(b) All other sections shall take effect on July 1, 2026.

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

Thereupon, Senator Baruth moved to postpone action on the bill until the next legislative day, which was agreed to.

**House Proposals of Amendment to Senate Proposal of Amendment
Concurred In**

H. 648.

House proposals of amendment to Senate proposal of amendment to House bill entitled:

An act relating to banking, insurance, and securities.

Was taken up.

The House concurs in the Senate proposal of amendment with further proposals of amendment thereto as follows:

First: By striking out Sec. 11, 8 V.S.A. § 2507, in its entirety and inserting in lieu thereof a new Sec. 11 to read as follows:

Sec. 11. 8 V.S.A. § 2507 is amended to read:

§ 2507. MONEY TRANSMISSION KIOSK REGISTRATION

(a) A licensee shall not locate, or allow a third party to locate, a money transmission kiosk in this State ~~that allows users of the money transmission kiosk to engage in money transmission~~ through which money transmission is offered, facilitated, or engaged in, in whole or in part, directly or indirectly, by or on behalf of the licensee unless the licensee registers the money transmission kiosk and obtains the prior approval of the Commissioner for its activation.

(b) To apply for registration and approval to activate a money transmission kiosk, a licensee shall submit an application, using a form prescribed by the Commissioner, that includes the ownership and location of the money transmission kiosk, an affidavit of all businesses and services to be offered at the kiosk, the written agreement between the licensee and the owner of the money transmission kiosk if different persons, and the text of each disclosure required pursuant to subsection (c) of this section along with a description of the form, timing, and location for each disclosure.

(c) Each money transmission kiosk shall disclose prominently and conspicuously, using as high a contrast or resolution as any other display or graphics on the money transmission kiosk, prior to the point at which a user of the money transmission kiosk is irrevocably committed to completing any transaction:

(1) on or at the location of the money transmission kiosk, or on the first screen of such kiosk, the name, address, ~~and telephone number, and Vermont license number~~ of the ~~owner of the kiosk licensee~~ and the days, time, and means by which a consumer can contact the ~~owner licensee~~ for consumer assistance; and

(2) on the screen of the money transmission kiosk:

~~(A) for a transaction that does not involve virtual currency, the amount of the fees or charges that will be assessed to the user of the money transmission kiosk for the transaction by the licensee and by the owner of the money transmission kiosk, a clear explanation of who is imposing each fee or charge and that such fees and charges are in addition to any fees or charges that may be imposed by other entities relevant to the particular transaction, and the method by which the user may cancel the transaction to avoid the imposition of fees or charges; and~~

~~(B) for a transaction that involves virtual currency, all disclosures required pursuant to subsection 2574(c) of this chapter, a clear explanation of who is imposing each consideration to be charged for the transaction, and that such consideration is in addition to any fees or charges that may be imposed by other entities relevant to the particular transaction, and the method by which the user may cancel the transaction to avoid the imposition of the consideration and other fees or charges.~~

* * *

Second: By striking out Sec. 14a, 8 V.S.A. § 2577(f), in its entirety and inserting in lieu thereof a new Sec. 14a to read as follows:

Sec. 14a. 8 V.S.A. § 2574 is amended to read:

§ 2574. REQUIRED DISCLOSURES

* * *

(c) ~~Disclosures.~~

~~(1) Disclosures prior to each virtual-currency transaction. In connection with any virtual-currency transaction effected through a virtual-currency kiosk in this State, or in any transaction where the licensee or any affiliate thereof is acting in a principal capacity in a sale of virtual currency to, or purchase of virtual currency from, a customer, then immediately prior to effecting such a purchase or sale transaction with or on behalf of a customer, a licensee shall prominently disclose and shall require the customer to acknowledge and confirm the terms and conditions of the virtual-currency transaction, which shall include the following:~~

~~(A)(1) the type, value, date, precise time, and amount of the transaction; and~~

~~(B)(2) the consideration charged for the transaction, including:~~

~~(i)(A) any charge, fee, commission, or other consideration for any trade, exchange, conversion, or transfer involving virtual currency; and~~

~~(ii)(B) any difference between the price paid by the customer for any virtual currency and the prevailing market price value of such virtual currency, if any;~~

~~(C) for a customer of a virtual-currency kiosk, a description of the virtual-currency kiosk operator's refund policy, which shall be consistent with the requirements specified in subsections 2577(k) and (l) of this subchapter;~~

~~(D) for a customer of a virtual-currency kiosk, the customer warning described in subdivision (g)(1) of this section; and~~

~~(E) the daily transaction limit, if applicable.~~

~~(2) Disclosures for new kiosk accounts. When opening an account for a new customer, and prior to entering into an initial transaction for, on behalf of, or with such customer, each virtual-currency kiosk operator shall disclose relevant terms and conditions associated with its products, services, and activities and with virtual currency, generally, including disclosures substantially similar to the following:~~

~~(A) the customer's liability for unauthorized virtual-currency transactions;~~

~~(B) under what circumstances the virtual-currency kiosk operator will, absent a court or government order, disclose information concerning the customer's account to third parties;~~

~~(C) the customer's right to receive periodic account statements and valuations from the virtual-currency kiosk operator;~~

~~(D) the customer's right to receive a receipt, trade ticket, or other evidence of a transaction;~~

~~(E) the customer's right to prior notice of a change in the virtual-currency kiosk operator's rules or policies;~~

~~(F) a statement of the material risks associated with virtual-currency transactions, generally, as described in subsection (h) of this section;~~

~~(G) the name and telephone number of the Department of Financial Regulation and a statement disclosing that a customer may contact the Department with questions or complaints about a licensee; and~~

~~(H) such other disclosures as are customarily given in connection with the opening of customer accounts.~~

(d) Licensee receipt requirements. Except as otherwise provided in subsection (e) of this section, at the conclusion of a virtual-currency transaction with or on behalf of a person, a licensee shall provide the person with a receipt that contains:

(1) the name and contact information of the licensee, including information the person may need to ask a question or file a complaint;

(2) the type of virtual currency, value quantity of virtual currency, date, precise time, and amount of the transaction expressed in U.S. currency;

(3) the consideration charged for the transaction, including:

(A) any charge, fee, commission, or other consideration for any trade, exchange, conversion, or transfer involving virtual currency; or

(B) the amount of any difference between the price paid by the customer for any virtual currency and the prevailing market ~~price~~ value of such virtual currency, if any; and

(4) any other information required pursuant to section 2562 of this title.

(e) Licensee daily confirmation. If a licensee discloses that it will provide a daily confirmation in the initial disclosure under subsection (b) of this section, the licensee may elect to provide a single, daily confirmation for all transactions with or on behalf of a person on that day instead of a per-transaction confirmation.

~~(f) Kiosk transaction receipt. Notwithstanding any other provision of law to the contrary, a virtual-currency kiosk operator shall provide a customer with both a paper and an electronic receipt in a retainable form for each virtual-currency transaction completed at a virtual-currency kiosk. In addition to the information required to be included in a receipt under subsection (d) of this section or under section 2562 of this title, each receipt for a virtual-currency transaction completed at a virtual-currency kiosk shall include:~~

~~(1) the identification of any applicable digital wallet address to which virtual currency is transmitted;~~

~~(2) the full name of the account owner;~~

~~(3) any unique transaction identifiers;~~

~~(4) a prominent statement of the virtual-currency kiosk operator's refund obligations under this section, in a form approved by the Commissioner;~~

~~(5) a statement of the operator's liability for nondelivery or delayed delivery of virtual currency; and~~

~~(6) the name and telephone number of the Department of Financial Regulation and a statement disclosing that a customer may contact the Department with questions or complaints about an operator.~~

~~(g) Customer warning.~~

~~(1) Prior to entering into a virtual-currency transaction with a customer at a virtual-currency kiosk, and as required by subdivision (c)(1)(D) of this section, each virtual-currency kiosk operator shall ensure a warning is disclosed to the customer substantially similar to the following:~~

~~Customer Notice. Please Read Carefully.~~

~~Did you receive a phone call from your bank, software provider, the police, or were you directed to make a payment for Social Security, a utility bill, an investment, warrants, or bail money at this kiosk? STOP~~

~~Is anyone on the phone pressuring you to make a payment of any kind? STOP~~

~~I understand that the purchase and sale of cryptocurrency may be a final, irreversible, and nonrefundable transaction.~~

~~I confirm I am sending funds to a digital wallet I own or directly have control over. I confirm that I am using funds gained from my own initiative to make my transaction.~~

~~(2) A virtual currency kiosk operator shall ensure a customer has a readily accessible opportunity to end a transaction for any reason prior to its completion.~~

~~(h) Statement of material risks. As used in subdivision (c)(2)(F) of this section, a statement of material risks associated with virtual currency transactions, generally, shall include disclosures substantially similar to the following:~~

~~(1) Virtual currency is not legal tender, is not backed by the government, and accounts and value balances are not subject to Federal Deposit Insurance Corporation or Securities Investor Protection Corporation protections.~~

~~(2) Legislative and regulatory changes or actions at the State, federal, or international level may adversely affect the use, transfer, exchange, and value of virtual currency.~~

~~(3) Transactions in virtual currency may be irreversible and, accordingly, losses due to fraudulent or accidental transactions may not be recoverable.~~

~~(4) Some virtual currency transactions shall be deemed to be made when recorded on a public ledger, which is not necessarily the date or time that the customer initiates the transaction.~~

~~(5) The value of virtual currency may be derived from the continued willingness of market participants to exchange fiat currency for virtual currency, which may result in the potential for permanent and total loss of value of a particular virtual currency should the market for that virtual currency disappear.~~

~~(6) There is no assurance that a person who accepts a virtual currency as payment today will continue to do so in the future.~~

~~(7) The volatility and unpredictability of the price of virtual currency relative to fiat currency may result in significant loss over a short period of time.~~

~~(8) The nature of virtual currency may lead to an increased risk of fraud or cyber attack.~~

~~(9) The nature of virtual currency means that any technological difficulties experienced by the virtual currency kiosk operator may prevent the access or use of a customer's virtual currency.~~

~~(10) Any bond or trust account maintained by the virtual-currency kiosk operator for the benefit of its customers may not be sufficient to cover all losses incurred by customers.~~

Third: By adding a new section to be Sec. 14b, to read as follows:

Sec. 14b. 8 V.S.A. § 2577 is amended to read:

§ 2577. VIRTUAL-CURRENCY KIOSK OPERATORS PROHIBITION

(a) ~~Daily transaction limit~~ Prohibition of virtual currency kiosks.

~~(1) A virtual-currency kiosk operator shall not accept or dispense more than \$2,000.00 of cash in a day in connection with virtual-currency transactions with a single, new customer in this State via one or more virtual-currency kiosks. No person shall locate, operate, or otherwise make available for use, or allow a third party to locate, operate, or otherwise make available for use, a virtual currency kiosk in Vermont.~~

~~(2) A virtual-currency kiosk operator shall not accept or dispense more than \$5,000.00 of cash in a day in connection with virtual-currency transactions with a single, existing customer in this State via one or more virtual-currency kiosks. No person shall offer, facilitate, or engage in, in whole or in part, directly or indirectly, virtual-currency business activity via a money transmission kiosk in Vermont.~~

(b) ~~Fee cap~~ Registration expiration and refunds. ~~The aggregate fees and charges, directly or indirectly, charged to a customer related to a single transaction or series of related transactions involving virtual currency effected through a money transmission kiosk in this State, including any difference between the price charged to a customer to buy, sell, exchange, swap, or convert virtual currency and the prevailing market value of such virtual currency at the time of such transaction, shall not exceed the greater of the following: With respect to any virtual-currency kiosk in operation in Vermont prior to July 1, 2026:~~

~~(1) \$5.00; or~~ Expiration and termination. ~~Any registration of a virtual-currency kiosk shall expire and terminate on July 1, 2026.~~

~~(2) 15 percent of the U.S. dollar equivalent of virtual currency involved in the transaction or transactions.~~

~~(c) Single transaction.~~ ~~The purchase, sale, exchange, swap, or conversion of virtual currency, or the subsequent transfer of virtual currency, in a series of transactions shall be deemed to be a single transaction for purposes of subsections (a) and (b) of this section.~~

~~(d) Licensing requirement. A virtual-currency kiosk operator shall comply with the licensing requirements of this subchapter to the extent that the virtual-currency kiosk operator engages in virtual-currency business activity.~~

~~(e) Operator accountability. If a virtual-currency kiosk operator allows or facilitates another person to engage in virtual-currency business activity via a virtual-currency kiosk in this State that is owned, operated, or managed by the virtual-currency kiosk operator, the virtual-currency kiosk operator shall do all of the following:~~

~~(1) ensure that the person engaging in virtual-currency business activity is licensed under subchapter 2 of this chapter to engage in virtual-currency business activity and complies with all other applicable provisions of this chapter;~~

~~(2) ensure that any charges collected from a customer via the virtual-currency kiosk comply with the fee cap established in subsection (b) of this section; and~~

~~(3) comply with all other applicable provisions of this chapter.~~

~~(f) Moratorium. To protect the public safety and welfare and safeguard the rights of consumers, virtual-currency kiosks shall not be permitted to operate in Vermont prior to July 1, 2026. This moratorium shall not apply to a virtual-currency kiosk that was duly licensed and operational in Vermont on or before June 30, 2024.~~

~~(g) Customer identification. For each virtual-currency transaction occurring at a virtual-currency kiosk in this State, the virtual-currency kiosk operator shall verify the identity of the customer prior to accepting payment from the customer. A virtual-currency kiosk operator shall not allow a customer to engage in any transaction at a virtual-currency kiosk under any name, account, or identity other than the customer's own true name and identity. A virtual-currency kiosk operator shall obtain a copy of a government-issued identification card that identifies the customer and shall collect additional customer information, including the customer's name, date of birth, telephone number, address, and email address prior to accepting any payment from a customer at a virtual-currency kiosk in this State. In addition, a virtual-currency kiosk operator shall take a photograph of the customer in a retainable format at the virtual-currency kiosk for each transaction. A virtual-currency kiosk operator shall be strictly liable for any violation of this subsection.~~

~~(h) Customer support. A virtual-currency kiosk operator shall offer live, toll-free, telephone customer support during the hours of operation of a virtual-currency kiosk. The customer support telephone number shall be displayed on the virtual-currency kiosk or on the virtual-currency kiosk screen.~~

~~(i) Mandatory live screening.~~

~~(1) A virtual-currency kiosk operator shall identify and speak by telephone with:~~

~~(A) a new customer over 60 years of age prior to such customer's first virtual-currency transaction with the virtual-currency kiosk operator; or~~

~~(B) a customer attempting to conduct more than \$5,000.00 in virtual-currency transactions during any consecutive 10-day period.~~

~~(2) The virtual-currency kiosk operator's approval of a transaction subject to a mandatory live screening under this subsection shall be dependent upon its assessment of its communication with the customer during the screening.~~

~~(3) A virtual-currency kiosk operator shall record and retain a copy of each mandatory live screening.~~

~~(4) During the mandatory live screening, the virtual-currency kiosk operator shall:~~

~~(A) positively identify the customer;~~

~~(B) reconfirm any attestations made by the customer at the virtual-currency kiosk;~~

~~(C) discuss the purpose of the transaction; and~~

~~(D) discuss types of fraudulent schemes relating to virtual currency.~~

~~(j) Blockchain analytics. A virtual-currency kiosk operator shall use blockchain analytics software and retain an established third party that specializes in performing blockchain analytics to assist in the prevention of sending purchased virtual currency from a virtual-currency kiosk operator to a digital wallet known to be affiliated with fraudulent activity at the time of a transaction. The Commissioner may request evidence from any virtual-currency kiosk operator of its current use of blockchain analytics.~~

(k) Full refund for new customers. The virtual-currency kiosk operator shall provide a full refund to a customer who was fraudulently induced to engage in a virtual-currency kiosk transaction, provided the fraudulently induced transaction occurred while the customer was a new customer and further provided the customer contacts the virtual-currency kiosk operator and a law enforcement or government agency to inform the operator and the agency of the fraudulent nature of the transaction within 90 days after the customer's last virtual-currency transaction with the virtual-currency kiosk operator. The refund shall include any fees charged in association with the fraudulently induced transaction.

(4)(3) Fee refund for existing customers. The virtual-currency kiosk operator shall provide a fee refund to an existing customer who has been fraudulently induced to engage in a virtual-currency kiosk transaction, provided the customer contacts the virtual-currency kiosk operator and a law enforcement or government agency to inform the operator and the agency of the fraudulent nature of the transaction within 90 days after the last fraudulently induced transaction. The refund shall include all fees charged in association with the fraudulently induced transaction.

(4) Records retention. Until at least July 1, 2031, or a later date required by the Commissioner, the virtual-currency kiosk operator shall maintain, and make available to the Commissioner upon request, all records that the virtual-currency kiosk operator was required to maintain prior to July 1, 2026.

(c) Violations. For any virtual-currency kiosk transaction occurring after July 1, 2026, in violation of this section, the virtual-currency kiosk operator shall provide a full refund to the customer upon request of the customer or the Commissioner. The refund shall include any fees charged in association with the transaction.

~~(m) Fraud prevention. A virtual-currency kiosk operator shall take reasonable steps to detect and prevent fraud, including establishing and maintaining a written antifraud policy. The antifraud policy shall, at a minimum, include the following:~~

- ~~(1) the identification and assessment of fraud-related risk areas;~~
- ~~(2) procedures and controls to protect against identified risks;~~
- ~~(3) allocation of responsibility for monitoring risks;~~
- ~~(4) procedures for the periodic evaluation and revision of the antifraud procedures, controls, and monitoring mechanisms;~~

~~(5) procedures and controls that prevent more than one customer from using the same digital wallet;~~

~~(6) procedures and controls that enable the virtual-currency kiosk operator to prevent a digital wallet from being used at a virtual-currency kiosk it operates if the operator knows or reasonably should know the digital wallet is affiliated with fraudulent activities; and~~

~~(7) policies and procedures for using a risk-based method for monitoring customers on a post transaction basis.~~

~~(n) Due diligence policy. A virtual-currency kiosk operator shall maintain, implement, and enforce a written Enhanced Due Diligence Policy. The Policy shall be reviewed and approved by the virtual-currency kiosk operator's board of directors or an equivalent governing body of the virtual-currency kiosk operator. The Policy shall identify, at a minimum, individuals who are at risk of fraud based on age or mental capacity.~~

~~(o) Compliance policies. A virtual-currency kiosk operator shall maintain, implement, and enforce written compliance policies and procedures. Such policies and procedures shall be reviewed and approved by the virtual-currency kiosk operator's board of directors or an equivalent governing body of the virtual-currency kiosk operator.~~

~~(p) Compliance officer.~~

~~(1) A virtual-currency kiosk operator shall designate and employ a compliance officer who meets the following requirements:~~

~~(A) is qualified to coordinate and monitor compliance with this section and all other applicable federal and State laws and regulations;~~

~~(B) is employed full-time by the virtual-currency kiosk operator; and~~

~~(C) is not an individual who owns more than 20 percent of the virtual-currency kiosk operator by whom the individual is employed.~~

~~(2) Compliance responsibilities required under federal and State law and regulation shall be completed by one or more full-time employees of the virtual-currency kiosk operator.~~

~~(q) Consumer protection officer. A virtual-currency kiosk operator shall designate and employ a consumer protection officer who meets the following requirements:~~

~~(1) is qualified to coordinate and monitor compliance with this section and all other applicable federal and State laws and regulations;~~

~~(2) is employed full-time by the virtual-currency kiosk operator; and~~

~~(3) is not an individual who owns more than 20 percent of the virtual-currency kiosk operator by whom the individual is employed.~~

~~(r) The Commissioner may adopt rules the Commissioner deems necessary and proper to carry out the purposes of this section, including with respect to what constitutes fraudulent activity or a fraudulently induced transaction in the context of customer transactions at a virtual-currency kiosk.~~

Fourth: By striking out Sec. 59, effective date, and its corresponding reader assistance heading in their entirety and inserting in lieu thereof the following:

* * * Providers of Merchant Cash Advances; Licensing and Regulation * * *

Sec. 59. 8 V.S.A. § 2115(e) is amended to read:

(e)(1) A loan contract made in knowing and willful violation of subdivision 2201(a)(1) of this title is void, and the lender shall not collect or receive any principal, interest, or charges; provided, however, in the case of a loan made in violation of subdivision 2201(a)(1) of this title, where the Commissioner does not find a knowing and willful violation, the lender shall not collect or receive any interest or charges, but may collect and receive principal.

(2) A commercial financing contract made in knowing and willful violation of subdivisions 2247(b)(1) or (2) of this title is void, and the provider shall not collect or receive any amounts, payments, receivables, or charges; provided, however, in the case of a commercial financing contract made in violation of subdivisions 2247(b)(1) or (2) of this title, where the Commissioner does not find a knowing and willful violation, the provider may only collect and receive an amount up to the disbursement amount paid to the recipient, after any fees deducted or withheld at disbursement, and the provider may not collect or receive any charges or other amounts.

(3) If a person who receives an order that directs the person to cease exercising the duties and powers of a licensee and imposes an administrative penalty under this part continues to perform the duties or exercise the powers of a licensee without satisfying the penalty, or otherwise reaching a satisfactory resolution between the parties that allows the person to exercise such duties and powers, or securing a decision vacating the order by the Commissioner or by a court of competent jurisdiction, a loan contract or commercial financing contract made by the person after receipt of such order is void and the lender person shall not collect or receive any principal, interest, or amounts, payments, receivables, or charges.

Sec. 60. 8 V.S.A. § 2247 is added to read:

§ 2247. COMMERCIAL FINANCING

(a) Definitions. As used in this section:

(1) “Commercial financing” means a sales-based financing or factoring transaction.

(2) “Factoring transaction” means an accounts receivable purchase transaction that includes an agreement to purchase, transfer, assign, or sell a legally enforceable claim for payment held by a recipient for goods the recipient has supplied or services the recipient has rendered that have been ordered but for which payment has not yet been made. A purchase of accounts receivable in connection with the purchase and sale of substantially all of the assets of a business or line of business shall not be deemed to be a factoring transaction.

(3) “Finance charge” means the cost of financing as a dollar amount. It includes any charge payable directly or indirectly by the recipient and imposed directly or indirectly by the provider as an incident to or a condition of the extension of financing. It includes all charges that would be included under 12 C.F.R. part 1026.4 as if the transaction were subject to 12 C.F.R. part 1026.4. In addition, the finance charge shall include any charges as determined by the Commissioner. For the purposes of a factoring transaction, the finance charge includes the discount taken on the face value of the accounts receivable.

(4) “Provider” means a person who provides or will provide commercial financing to a recipient or who extends a specific offer of commercial financing to a person or to the person’s authorized representative. A provider also includes a person who solicits prospective recipients of commercial financing or who presents specific offers of commercial financing on behalf of a third party.

(5) “Recipient” means a person that receives or applies for commercial financing or is made a specific offer of commercial financing by a provider. A recipient may also be an authorized representative of such person.

(6) “Sales-based financing” means a transaction that is repaid by the recipient to the provider, over time, as a percentage of sales or revenue, in which the payment amount may increase or decrease according to the volume of sales made or revenue received by the recipient. Sales-based financing also includes a true-up mechanism where the financing is repaid as a fixed payment but provides for a reconciliation process that adjusts the payment to an amount that is a percentage of sales or revenue. Sales-based financing also includes transactions structured as a sale or assignment of future accounts receivable, future revenue, or future sales.

(7) “Solicit prospective recipients of commercial financing” means, for compensation or gain or with the expectation of compensation or gain, to:

(A) solicit prospective recipients for commercial financing;

(B) offer, broker, directly or indirectly arrange, place, or find commercial financing for a prospective recipient;

(C) obtain commercial financing for a prospective recipient or offer to obtain commercial sales-based financing for a recipient from a provider;

(D) initiate prospective recipients’ interest or inquiry in commercial financing by online marketing, direct response advertising, telemarketing, or other similar contact;

(E) engage in the business of selling information identifying a prospective recipient of commercial financing;

(F) generate or augment information identifying a prospective recipient of commercial financing for other persons; or

(G) refer prospective Vermont recipients to other persons for commercial financing.

(8) “Specific offer” means the specific terms of commercial financing, including price or amount, that is quoted to a recipient, based on information obtained from, or about, the recipient, which, if accepted by a recipient, shall be binding on the provider, as applicable, subject to any specific requirements stated in such terms.

(b) License requirement.

(1) A provider shall not provide commercial financing to a person in this State, extend a specific offer of commercial financing to a person in this State, or solicit prospective recipients of commercial financing extended by such provider, unless the provider is licensed as a lender under this chapter.

(2) A provider shall not solicit prospective recipients of commercial financing on behalf of a third party or present or extend specific offers of commercial financing on behalf of a third party unless the provider holds a loan solicitation license under this chapter and such third party is licensed as a lender under this chapter or exempt from the licensing requirements under this section pursuant to subdivisions (3) or (4) of this subsection.

(3) A lender license, commercial lender license, or loan solicitation license shall not be required under this section of any for the following:

(A) a state agency, political subdivision, or other public instrumentality of a state;

(B) a federal agency or other public instrumentality of the United States;

(C) a depository institution or a financial institution as defined in subdivision 11101(32) of this title; or

(D) a seller of goods or services that finances the sale of such goods or services to a recipient.

(4) This section shall not apply to commercial financing transactions of \$1,000,000.00 or more that are not primarily for personal, family, or household use.

(5) For purposes of this section, 8 V.S.A. § 2201(d) shall not apply.

(c) Personal, family, or household use. A commercial financing offered, extended, or otherwise provided primarily for personal, family, or household use, for the purpose of regulation under this chapter, shall also be deemed to be a loan for purposes of this chapter. Any commercial financing deemed to be a loan under this subsection shall be governed by and subject to applicable provisions of this title, including this section, and 9 V.S.A. chapters 4, 59, and 61.

(d) Certain automatic debts prohibited. A provider shall not establish a mechanism for automatically debiting a recipient's deposit account unless the provider holds a validly perfected security interest in the recipient's account under Title 9A, with a first priority against the claims of all other persons.

(e) Confessions of judgment. A commercial financing contract that contains a confession of judgment provision or any similar provision is void and unenforceable.

(f) Choice of law, jurisdiction, and venue; arbitration. Where a provider enters into a contract or agreement with a recipient to provide commercial financing, such contract or agreement shall be governed exclusively by Vermont law, and any cause of action arising under such contract or agreement shall be brought in a court in this State. Any provision in the contract or agreement providing that the law of any other jurisdiction shall govern or mandating that any such action be brought outside this State shall be unenforceable by any party other than the recipient. Where a contract between a provider and recipient contains an arbitration provision, such contract shall not require face-to-face arbitration proceedings outside this State. If the contract requires face-to-face arbitration proceedings outside this State, such provision is unenforceable by any party other than the recipient. The enforceability of the remaining provisions of the arbitration agreement and the method of selecting a forum for the conduct of the arbitration proceedings are as provided in the Vermont Arbitration Act, 12 V.S.A. chapter 192, the Federal Arbitration Act, 9 U.S.C. §§ 1–16, and any applicable rules of arbitration. The provider shall pay any arbitrators' expenses or fees, or any other expenses or administrative fees incurred in the conduct of any such arbitration proceedings.

(g) Sales-based financing disclosure requirements.

(1) A provider shall provide the following disclosures to a recipient at the time of extending a specific offer of sales-based financing:

(A) The total amount of the commercial financing, and the disbursement amount, if different from the financing amount, after any fees deducted or withheld at disbursement.

(B) The finance charge.

(C) The estimated annual percentage rate, using the words “annual percentage rate” or the abbreviation “APR,” expressed as a yearly rate, inclusive of any fees and finance charges, and determined in accordance with the federal Truth in Lending Act, Regulation Z, 12 C.F.R. § 1026.22, as may be amended, based on the estimated term of repayment and the projected periodic payment amounts, regardless of whether such act or such regulation would require such a calculation. The estimated term of repayment and the projected periodic payment amounts shall be calculated based on a projection of the volume of the recipient’s sales or revenue. The projected volume of sales or revenue may be calculated using the historical method, as described in subdivision (i) of this subdivision (g)(1)(C), or the opt-in method, as described in subdivision (ii) of this subdivision (g)(1)(C).

(i) A provider using the historical method shall use an average historical volume of sales or revenue on which the financing’s payment amounts are based and by which the estimated annual percentage rate is determined. The provider shall fix the historical time period to be used to calculate the average historical volume of sales or revenue and use such period for all disclosure purposes for all sales-based financing products offered by the provider. The fixed historical time period shall either be the time period immediately preceding the specific offer or, alternatively, a time period consisting of the same number of months with the highest sales or revenue volume within the past twelve months. The fixed historical time period shall be at least one month and shall not exceed 12 months.

(ii) A provider using the opt-in method shall determine the estimated annual percentage rate, the estimated term, and the projected payments using a projected sales or revenue volume that the provider elects for each disclosure. Upon a finding by the Commissioner that the use of projected sales or revenue volume by the provider has resulted in an unacceptable deviation between the estimated and actual annual percentage rates, the Commissioner shall require the provider to use the historical method. The Commissioner may consider unusual and extraordinary circumstances impacting the provider’s deviation between estimated and actual annual percentage rates in making such finding.

(D) The total repayment amount, which is the disbursement amount plus the finance charge.

(E) The estimated term is the period of time required for the periodic payments, based on the projected sales volume, to equal the total amount required to be repaid.

(F) The payment amounts, based on the projected sales volume:

(i) for payment amounts that are fixed, the payment amounts and frequency (for example, daily, weekly, or monthly) and, if the payment frequency is other than monthly, the amount of the average projected payments per month; or

(ii) for payment amounts that are variable, a payment schedule or a description of the method used to calculate the amounts and frequency of payments, and the amount of the average projected payments per month.

(G) A description of all other potential fees and charges not included in the finance charge, including draw fees, late payment fees, and returned payment fees.

(H) Were the recipient to elect to pay off or refinance the commercial financing prior to full repayment, the provider shall disclose:

(i) whether the recipient would be required to pay:

(I) any finance charges other than interest accrued since the last payment; if so, disclosure of the percentage of any unpaid portion of the finance charge and maximum dollar amount the recipient could be required to pay; and

(II) any additional fees not already included in the finance charge; and

(ii) a description of collateral requirements or security interests, if any.

(2) The provider shall obtain the recipient's signature on the disclosures required by this subsection before finalizing the application for the sales-based financing.

(3) A provider shall not provide sales-based financing to a recipient without first providing the disclosures required by this subsection and obtaining the recipient's signature on such disclosures.

(4) The Commissioner may prescribe the format for the disclosures required by this subsection.

(h) Factoring transaction disclosure requirements.

(1) A provider shall provide the following disclosures to a recipient at the time of extending a specific offer for a factoring transaction:

(A) The amount of the receivables purchase price paid to the recipient and, if different from the purchase price, the amount disbursed to the recipient after any fees deducted or withheld at disbursement.

(B) The finance charge.

(C) The estimated annual percentage rate, using the words “annual percentage rate” or the abbreviation “APR,” calculated according to the federal Truth in Lending Act, Regulation Z, 12 C.F.R. § 1026 Appendix J, as a “single advance, single payment transaction,” regardless of whether such act or such regulation would require such a calculation. To calculate the estimated annual percentage rate, the purchase amount is considered the financing amount, the purchase amount minus the finance charge is considered the payment amount, and the term is established by the payment due date of the receivables. As an alternate method of establishing the term, the provider may estimate the term for a factoring transaction as the average payment period, based on its historical data over a period not to exceed the previous 12 months, concerning payment invoices paid by the party owing the accounts receivable in question.

(D) The total payment amount, which is the purchase amount plus the finance charge.

(E) A description of all other potential fees and charges that can be avoided by the recipient.

(F) A description of the receivables purchased and any additional collateral requirements or security interests.

(2) The provider shall obtain the recipient’s signature on the disclosures required by this subsection before finalizing the application for the factoring transaction.

(3) A provider shall not provide commercial financing to a recipient in a factoring transaction without first providing the disclosures required by this subsection and obtaining the recipient’s signature on such disclosures.

(4) The Commissioner may prescribe the format for the disclosures required by this subsection.

(i) Disclosures required if recipient required to pay off existing commercial financing as condition. If as a condition of obtaining commercial financing the provider requires the recipient to pay off the balance of existing commercial financing from the same provider, the provider shall disclose to the recipient:

(1) The amount of the new commercial financing used to pay off the portion of the existing commercial financing that consists of prepayment charges required to be paid and any unpaid interest expense that was not forgiven at the time of renewal. For financing for which the total repayment amount is calculated as a fixed amount, the prepayment charge is equal to the original finance charge multiplied by the amount of the renewal used to pay off existing financing as a percentage of the total repayment amount, minus any portion of the total repayment amount forgiven by the provider at the time of prepayment.

(2) If the disbursement amount will be reduced to pay down any unpaid portion of the outstanding balance, the actual dollar amount by which such disbursement amount will be reduced.

(j) Rulemaking. The Commissioner is authorized to adopt rules the Commissioner determines are consistent with the purposes of this section, or appropriate for the effective administration of this section, including:

(1) Rules in connection with the calculation or determination of any metric required to be disclosed to a recipient.

(2) Rules necessary to develop and prescribe disclosure formatting to be used by providers that allows for recipients to easily compare financing options in a clear and conspicuous manner. Such rules may include the designation and method for disclosing the information required in this section, or approving adequate forms and methods already used by providers.

(3) Rules that define the terms used in this section if the Commissioner determines such rules are necessary and appropriate to interpret and implement the provisions of this section.

(4) Rules necessary for the enforcement of this section.

Sec. 61. COMMERCIAL FINANCING RULEMAKING

The Commissioner may initiate a rulemaking concerning the implementation and enforcement of commercial financing transactions consistent with the requirements established in Secs. 59 and 60 of this act. However, such rules shall not take effect until on or after July 1, 2027.

* * * Effective Dates; Application * * *

Sec. 62. EFFECTIVE DATES; APPLICATION

This act shall take effect on July 1, 2026, except that Secs. 59 and 60, concerning commercial financing, shall take effect on July 1, 2027, and shall apply to commercial financing contracts entered into or modified, amended, or restructured on or after July 1, 2027.

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

**House Proposal of Amendment to Senate Proposal of Amendment
Concurred In with Further Proposal of Amendment**

H. 941.

House proposal of amendment to Senate proposal of amendment to House bill entitled:

An act relating to municipal regulation of agriculture.

Was taken up.

The House concurs in the Senate proposal of amendment with further amendment thereto by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS AND INTENT; MUNICIPAL REGULATION OF
AGRICULTURE

(a) For purposes of Sec. 2 of this act, the General Assembly finds that:

(1) Since at least the enactment of 2004 Acts and Resolves No. 115, it has been both the intent of the General Assembly and the controlling law that a municipality shall not regulate farming, including the construction of farm structures.

(2) The Vermont Supreme Court's decision in *In re 8 Taft Street DRB & NOV Appeals*, 2025 VT 27, reversed application of at least the past 20 years of law to hold that municipalities may regulate farming by municipal bylaw.

(3) To avoid the unintended consequences of the decision in *In re 8 Taft Street DRB & NOV Appeals*, 2025 VT 27, it is necessary for the General Assembly to clarify and restate that municipalities under ordinance or bylaw shall not regulate farming or the construction of farm structures as set forth in 24 V.S.A. § 4413(d).

(4) In addition, municipalities shall not regulate by bylaw the growing of plants; shall have no bylaw that has the effect of prohibiting the raising, feeding, and management of a poultry flock; and may reasonably regulate by bylaw swine waste in designated downtowns or village centers.

(5) Farming livestock requires an adequate land base, and raising livestock on small parcels in densely populated areas may create unique concerns. As a result, municipalities may regulate livestock on farms that do not have at least 1.0 contiguous acre of land. Other farming activities subject to regulation by the Required Agricultural Practices Rule on farms with less than 1.0 contiguous acre remain exempt from municipal zoning.

(b) For purposes of Sec. 2 of this act, it is the intent of the General Assembly to overturn the holding in *In re 8 Taft Street DRB & NOV Appeals*, 2025 VT 27, and to clarify that municipalities lack authority to regulate farming or the construction of farm structures as set forth in 24 V.S.A. § 4413(d).

Sec. 2. 24 V.S.A. § 4413(d) is amended to read:

(d)(1) A bylaw under this chapter shall not regulate:

(A) required agricultural practices, including the construction of farm structures, as those practices are defined by the Secretary of Agriculture, Food and Markets; Farming that meets the minimum threshold criteria in the Required Agricultural Practices Rule (RAPs Rule) and is therefore required to comply with the RAPs Rule, except:

(i) that the raising, feeding, or managing of livestock on a farm with less than 1.0 contiguous acre is subject to applicable municipal zoning bylaws, including when a person is engaged in other farming activities that are subject to the RAPs Rule;

(ii) that the raising, feeding, or managing of livestock on a farm with at least 1.0 contiguous acre and less than 4.0 contiguous acres shall have a sufficient land base for appropriate nutrient and waste management as determined by the Secretary of Agriculture, Food, and Markets to be exempt from regulation by municipal zoning bylaws; and

(iii) for swine waste in downtowns or village centers as follows:

(I) Municipalities shall not prohibit swine or swine waste, or regulate swine waste-related farm structures on a farm subject to the RAPs Rule.

(II) Municipalities may set a performance standard related to swine waste pursuant to section 4414 of this title to reasonably regulate swine waste in downtowns or village centers if the waste is causing a significant adverse impact to the community, and the municipality has determined that the Secretary of Agriculture, Food and Markets is unable to provide redress through application of the RAPs Rule. A performance standard shall not have the effect of prohibiting swine or swine waste in a municipality.

(III) Municipalities shall provide at least 30 days' notice with opportunity to cure to the Secretary and the farm prior to enforcing a performance standard related to swine waste.

(IV) Notwithstanding any other provisions of law to the contrary, for purposes of this section, swine waste includes animal manure and absorbent bedding of the animal.

(B) The cultivation or other use of land for growing plants, including for food, fiber, Christmas trees, maple sap, or horticultural, viticultural, and orchard crops. Cannabis and hemp are excluded from this exception.

(C) The construction of farm structures, including as defined in the RAPs Rule.

~~(B)(D)~~ Accepted silvicultural practices, as defined by the Commissioner of Forests, Parks and Recreation, including practices that are in compliance with the Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont, as adopted by the Commissioner of Forests, Parks and Recreation; ~~or~~.

~~(C)(E)~~ forestry Forestry operations.

(2) As used in this section:

(A) “Downtown” means an area designated pursuant to chapter 76A or chapter 139 of this title.

(B) “Farm structure” means a building, enclosure, or fence for housing livestock, raising horticultural or agronomic plants, or carrying out other practices associated with ~~accepted~~ agricultural or farming practices, including a silo, as “farming” is defined in 10 V.S.A. § 6001(22), but excludes a dwelling for human habitation.

(C) “Farming” has the same meaning as in 10 V.S.A. § 6001(22) or the Required Agricultural Practices Rule.

~~(B)(D)~~ “Forestry operations” has the same meaning as in 10 V.S.A. § 2602.

(E) “Village center” means an area designated pursuant to chapter 76A or chapter 139 of this title.

* * *

Sec. 3. 24 V.S.A. § 4412 is amended to read:

§ 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

Notwithstanding any existing bylaw, the following land development provisions shall apply in every municipality:

* * *

(15) No bylaw shall have the effect of prohibiting or assessing a fee for the raising, feeding, or management of a poultry flock, excluding roosters and ratites, for personal use, donation, or sale. At minimum, no bylaw shall have the effect of prohibiting the keeping of fewer than 12 chickens or a number determined by a municipality, whichever number is higher. Municipalities

may consider parcel size to establish other limitations on the number of poultry birds. A bylaw may establish a numerical limit of any poultry to be fewer than the minimum number as enumerated in Section 3 of the Required Agricultural Practices Rule, regardless of parcel size. As used in this section, "poultry" has the same meaning as in 6 V.S.A. § 1459(4).

Sec. 4. Section 3 of the Agency of Agriculture, Food and Markets, Vermont Required Agricultural Practices Rule for the Agricultural Nonpoint Source Pollution Control Program is amended to read:

Section 3. Required Agricultural Practices Activities and Applicability

3.1

(a) Persons engaged in farming and the agricultural practices as defined in Section 3.2 of this rule and who meet the minimum threshold criteria for applicability of this rule as found in Section 3.1(a)–(g)(c)(1)–(8) must meet all applicable Required Agricultural Practices conditions, restrictions, and operating standards.

(b) Persons engaged in farming and agricultural practices subject to this rule are not subject to municipal zoning bylaws except that the raising, feeding, or managing livestock on a farm with:

(1) at least 1.0 acre and less than 4.0 contiguous acres shall meet the requirements of subdivision (c)(5) of this section to be exempt from regulation by municipal zoning bylaws; or

(2) less than 1.0 contiguous acre is subject to applicable municipal zoning bylaws even when a person is engaged in other farming activities that are subject to this rule.

(c) Persons engaged in farming who are in compliance with these conditions, restrictions, and operating standards, as applicable, shall be presumed to not have a discharge of agricultural wastes to waters of the State. Compliance Unless otherwise stated, compliance with the Required Agricultural Practices Rule is required if a person meets one of the following requirements:

(a)(1) is Is required to be permitted or certified by the Secretary, consistent with the requirements of 6 V.S.A. Chapter 215 and this rule;–or.

(b)(2) has Has produced an annual gross income from the sale of agricultural products of \$2,000.00 or more in an average year;–or.

(e)(3) is Is preparing, tilling, fertilizing, planting, protecting, irrigating, and harvesting crops for sale or for charitable contributions of farm crops that are allowable under 26 U.S.C. § 170(c) and that are made to an organization that is unrelated to the owner of the land on a farm that is no less than 4.0 contiguous acres in size;–or.

~~(d)~~(4) is Is raising, feeding, or managing at least the following number of adult livestock on a farm that is no less than 4.0 contiguous acres in size:

- ~~(1)~~(A) four equines;
- ~~(2)~~(B) five cattle, cows, or American bison;
- ~~(3)~~(C) 15 swine;
- ~~(4)~~(D) 15 goats;
- ~~(5)~~(E) 15 sheep;
- ~~(6)~~(F) 15 cervids;
- ~~(7)~~(G) 50 turkeys;
- ~~(8)~~(H) 50 geese;
- ~~(9)~~(I) 100 laying hens;
- ~~(10)~~(J) 250 broilers, pheasant, Chukar partridge, or Coturnix quail;
- ~~(11)~~(K) three camelids;
- ~~(12)~~(L) four ratites;
- ~~(13)~~(M) 30 rabbits;
- ~~(14)~~(N) 100 ducks;
- ~~(15)~~(O) 1,000 pounds of cultured trout; or

~~(16)~~(P) other livestock types, combinations, or numbers as designated by the Secretary based upon or resulting from the impacts upon water quality consistent with this rule; ~~or~~.

~~(e)~~(5) is Is raising, feeding, or managing ~~other~~ livestock types, combinations, and numbers, ~~or~~ managing crops ~~or~~ engaging in other agricultural practices on a farm that is at least 1.0 contiguous acre and less than 4.0 contiguous acres in size that the Secretary has determined, after the opportunity for a hearing, to be causing adverse water quality impacts and in a municipality where no ordinances are in place to manage the activities causing the water quality impacts; ~~or~~ and has sufficient land base for appropriate nutrient and waste management. The Secretary has the discretion to determine, after consultation with the appropriate municipal authority, if the land base is adequate to properly manage the number and type of livestock while evaluating whether compliance with the Required Agricultural Practices is reasonable or impractical.

~~(f)~~(6) Is raising, feeding, or managing livestock on less than 1.0 contiguous acre or on between 1.0 and 4.0 contiguous acres in a municipality that lacks ordinances or bylaws to regulate livestock, and the Secretary determines, after an opportunity for a hearing, that the livestock are causing significant adverse water quality impacts and the Required Agricultural Practices should apply to protect water quality.

(7) ~~is~~ Is managed by a farmer filing with the Internal Revenue Service a 1040(F) income tax statement in at least one of the past two years; ~~or.~~

~~(g)~~(8) ~~has~~ Has a prospective business or farm management plan, approved by the Secretary, describing how the farm will meet the threshold requirements of this section.

3.2 The agricultural practices on farms ~~meeting that meet~~ the minimum threshold criteria set forth in Section 3.1 that are governed by this rule and are not subject to municipal zoning bylaws include:

- (a) the confinement, feeding, fencing, and watering of livestock;
- (b) the storage and handling of agricultural wastes principally produced on the farm;
- (c) the collection of maple sap principally produced from trees on the farm and/or production of maple syrup from sap principally produced on the farm;
- (d) the preparation, tilling, fertilization, planting, protection, irrigation, and harvesting of crops;
- (e) the ditching and subsurface drainage of farm fields and the construction of farm ponds;
- (f) the stabilization of farm fields adjacent to banks of surface water, and the establishment and maintenance of vegetated buffer zones and riparian buffer zones;
- (g) the construction and maintenance of farm structures, farm roads, and associated infrastructure;
- (h) the on-site storage, preparation, production, and sale of fuel or power from agricultural products or wastes principally produced on the farm;
- (i) the on-site storage, preparation, and sale of agricultural products principally produced on the farm from raw agricultural commodities principally produced on the farm;
- (j) the on-site storage of agricultural inputs for use on the farm including, but not limited to, lime, fertilizer, pesticides, compost and other soil amendments, and the equipment necessary for operation of the farm; and
- (k) the management of livestock mortalities produced on the farm.

Sec. 5. MUNICIPAL REGULATION OF FARMING STUDY; REPORT

(a) The Land Access and Opportunity Board shall convene a stakeholder group to examine options to address conflicts between landowners that involve agricultural livestock activities in densely populated villages, towns, or cities in Vermont and how to address municipal regulation of agriculture to better protect farmland and support homesteaders and farmers and their role in food security. At a minimum, the stakeholder group shall include membership-based agricultural organizations, the Vermont League of Cities and Towns, Vermont Farm to Plate, and individuals with expertise in local or regional planning, as well as zoning administration.

(b) The stakeholder group shall consider options to address conflicts, including whether municipal regulations have significantly restricted or functionally prohibited or could significantly restrict or functionally prohibit the raising, feeding, or managing of livestock, including providing a model bylaw that would permit the necessary functions in raising, feeding, or managing livestock. The stakeholder group shall provide recommendations for determining whether the raising, feeding, or managing of livestock has a sufficient land base for appropriate nutrient or waste management and whether the raising, feeding, or management of livestock is causing significant adverse water quality impacts on parcels of less than 4.0 contiguous acres.

(c) On or before January 31, 2027, the Land Access and Opportunity Board shall submit a report to the House Committees on Agriculture, Food Resiliency, and Forestry and on Environment and the Senate Committees on Agriculture and on Natural Resources and Energy. The report shall summarize findings, considerations, and any recommendations of the stakeholder group and offer a recommendation for the Secretary of Agriculture, Food and Markets on solutions, including recommended statutory changes or rulemaking, that would best support municipalities in their efforts to increase food security when significant landowner conflicts arise regarding livestock.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment to the Senate proposal of amendment?, Senator Ingalls moved that the Senate concur in the House proposal of amendment to the Senate proposal of amendment with further proposal of amendment by striking out Sec. 5, municipal regulation of farming study; report, in its entirety and by renumbering the remaining section to be numerically correct.

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

Third Reading Ordered

H. 953.

Senator Morley, for the Committee on Government Operations, to which was referred House bill entitled:

An act relating to approval of an amendment to the charter of the Town of Panton.

Reported that the bill ought to pass in concurrence.

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

Proposals of Amendment; Third Reading Ordered

H. 757.

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

An act relating to manufactured homes and limited equity cooperatives.

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

First: By adding a new section to be Sec. 3a to read as follows:

Sec. 3a. 11 V.S.A. § 1598 is amended to read:

§ 1598. LIMITED EQUITY COOPERATIVES

* * *

~~(b)(1) A mobile home park organized as a limited equity cooperative shall be treated for the purposes of State funding and grants as if it were incorporated as a State nonprofit corporation for a public purpose and public benefit under the laws of this State. Nothing in this section shall be deemed to alter or change specific funding or grant requirements, including the definition of low or moderate income, as outlined in any program, funding, or grant source.~~

~~(2) Nothing in this subsection shall be interpreted to impact or alter the tax treatment of a mobile home park organized as a limited equity cooperative. [Repealed.]~~

Second: By adding a reader assistance heading and a new section to be Sec. 8a to read as follows:

* * * Reports * * *

Sec. 8a. DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT; MOBILE HOME PARK FUNDING; REPORT

(a) On or before November 15, 2026, the Department of Housing and Community Development, in consultation with the Agency of Administration, the Agency of Natural Resources, and the Agency of Transportation, shall submit a written report to the House Committee on General and Housing and the Senate Committee on Economic Development, Housing and General Affairs identifying all State funding grant and loan programs available to mobile home parks for infrastructure improvements with an analysis on the eligibility and regulatory barriers prohibiting access to the funds for mobile home parks registered as a limited equity cooperative under 11 V.S.A. chapter 14.

(b) The Office of the Secretary of State shall provide technical support as necessary to the Department of Housing and Community Development.

Third: By striking out Sec. 9, effective dates, in its entirety and inserting in lieu thereof a new Sec. 9 to read as follows:

Sec. 9. EFFECTIVE DATES

This act shall take effect on July 1, 2026, except that:

(1) Secs. 5 and 6 (sales and use tax exemption) shall take effect on January 1, 2027; and

(2) Sec. 3a (repeal) shall take effect on July 1, 2027.

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

Senator Chittenden, 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 pending the question, Shall the bill be amended as recommended by the Committee on Economic Development, Housing and General Affairs?, Senator Cummings moved to amend the proposal of amendment of the Committee on Economic Development, Housing and General Affairs by striking out Sec. 9, effective dates, in its entirety and inserting in lieu thereof a new Sec. 9 to read as follows:

Sec. 9. EFFECTIVE DATES

This act shall take effect on July 1, 2026, except that:

(1) Sec. 3a (repeal) shall take effect on July 1, 2027; and

(2) Secs. 5 and 6 (sales and use tax exemption) shall take effect on January 1, 2028.

Which was agreed to.

Thereupon, the proposals of amendment of the Committee on Economic Development, Housing and General Affairs, as amended, were collectively agreed to, and third reading of the bill was ordered.

House Proposal of Amendment Not Concurred In; Committee of Conference Requested; Committee of Conference Appointed

H. 639.

House proposal of amendment to Senate bill entitled:

An act relating to genetic data privacy.

Was taken up.

The House concurs in the Senate proposal of amendment with further proposal of amendment thereto in Sec. 1, 9 V.S.A. chapter 61A, in section 2421c, by striking out subsection (c) in its entirety and inserting in lieu thereof a new subsection (c) to read as follows:

(c)(1) A consumer pursuing a civil action pursuant to subsection 2461(b) of this title against a direct-to-consumer genetic testing company or service provider for an alleged violation of subdivision 2421b(a)(1) or subsection 2421b(b) or 2421b(f) of this subchapter shall, before initiating the civil action, send a written notice to the company or service provider that includes as many details as possible of the alleged violation.

(2) If the company or service provider does not cure the alleged violation within 60 days after the notice is received by the company or service provider or if there is a disagreement as to whether the alleged violation has been cured, the consumer shall have the right to initiate a civil action against the company or service provider pursuant to subsection 2461(b) of this title.

(3) There is no cure period for any other alleged violation of this subchapter.

Thereupon, pending the question, Shall the Senate concur in the House proposal of amendment?, on motion of Senator Clarkson, the Senate refused to concur in the House proposal of amendment and requested a Committee of Conference.

Thereupon, pursuant to the request of the Senate, the President announced the appointment of

Senator Clarkson
Senator Brock
Senator Chittenden

as members of the Committee of Conference on the part of the Senate to consider the disagreeing votes of the two Houses.

House Proposal of Amendment Concurred In

S. 198.

House proposal of amendment to Senate bill entitled:

An act relating to the regulation of tobacco products and tobacco substitutes.

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. 7 V.S.A. chapter 40 is amended to read:

CHAPTER 40. TOBACCO PRODUCTS

§ 1001. DEFINITIONS

As used in this chapter:

* * *

(8)(A) “Tobacco substitute” means products, including any product that meets all of the following conditions:

(i) The product is manufactured from, is derived from, or contains tobacco or nicotine, whether natural or synthetic, including nicotine alkaloids and nicotine analogs.

(ii) The product is intended for human consumption by smoking, chewing, inhaling, sucking, absorbing, or consuming in any other manner.

(iii) The product is not a tobacco product, as defined in this section.

(B) The term “tobacco substitute” includes electronic cigarettes or and other electronic or battery-powered devices, that contain or are designed to deliver nicotine or other substances into the body through the inhalation of vapor and that have not been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes. The term also includes nicotine pouches and any liquids, whether nicotine based or not, and delivery devices sold separately for use with a tobacco substitute.

(C) Cannabis products as defined in section 831 of this title or products that have been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes shall not be considered to be tobacco substitutes.

(9) “Licensed wholesale dealer” means a wholesale dealer licensed under the provisions of this chapter.

(10) “Wholesale dealer” means a person who imports or causes to be imported into the State any tobacco products or tobacco substitutes for sale or who sells or furnishes any of these products to other wholesale dealers or retail dealers for the purpose of resale, but not by small quantity or parcel to consumers of these products.

(11) “Wholesale dealer’s license” means the license granted under the provisions of this chapter to a wholesale dealer for a wholesale outlet.

(12) “Wholesale outlet” means any premises where tobacco products or tobacco substitutes are sold, transferred, displayed, or held for sale by a wholesale dealer.

(13) “Wholesale price” means the price at which a licensed wholesale dealer sells or furnishes tobacco products or tobacco substitutes to any retail dealer.

§ 1002. LICENSE REQUIRED FOR RETAIL SALE; APPLICATION;
FEE; ISSUANCE

(a)(1) Except as provided in subsection (h) of this section, no person shall engage in the retail sale of tobacco products, tobacco substitutes, or tobacco paraphernalia in the person’s place of business without a tobacco license obtained from the Division of Liquor Control.

(2) No person shall engage in the retail sale of tobacco substitutes without also obtaining a tobacco substitute endorsement from the Division of Liquor Control.

(3) Tobacco licenses and tobacco substitute endorsements shall ~~expire at midnight, April 30, of each year~~ be valid for one year from the date of issue.

(b)(1) The Board shall prepare and issue tobacco license and tobacco substitute endorsement forms and applications. ~~These shall be incorporated into the liquor license forms and applications prepared and issued under this title.~~

(2) The licenses issued under this section shall be entitled “~~LIQUOR LICENSE,~~” “~~LIQUOR-TOBACCO LICENSE,~~” or “TOBACCO LICENSE,” as applicable. ~~The and the~~ endorsements issued under this section shall be entitled “TOBACCO SUBSTITUTE ENDORSEMENT.”

(3) The Board shall also provide simple instructions for licensees, designed to assist them in complying with the provisions of this chapter.

(c) Each tobacco license and tobacco substitute endorsement shall be prominently displayed on the premises identified in the license.

(d)(1) For a license or endorsement required under this section, a person shall apply to the legislative body of the municipality using the application provided by the Board in accordance with subdivision (b)(1) of this section and shall pay the following fees:

~~(A) to the Division of Liquor Control, the applicable liquor license fee provided in section 204 of this title for a liquor license and a tobacco license;~~

~~(B) to the legislative body of the municipality, a fee of \$110.00;~~

(A) \$150.00 for a tobacco license or renewal; and

~~(C) to the legislative body of the municipality, a fee of \$50.00~~

(B) \$75.00 for a tobacco substitute endorsement as provided in subdivision (a)(2) of this section.

(2) The municipal clerk shall forward the application to the Division; and, if the municipality’s local control commissioners have approved the application for a tobacco license and, if applicable, a tobacco substitute endorsement, the Division shall issue the tobacco license and the tobacco substitute endorsement, as applicable, ~~and shall forward all fees to the Commissioner for deposit. Fees collected pursuant to this subsection shall be deposited~~ in the Liquor Control Enterprise Fund.

(e) A person who sells tobacco products, tobacco substitutes, or tobacco paraphernalia without obtaining a tobacco license and a tobacco substitute endorsement, as applicable, in violation of this section shall be ~~guilty of a misdemeanor and fined~~ subject to a civil penalty of not more than \$200.00 ~~\$2,000.00~~ for the first offense and not more than ~~\$500.00~~ \$5,000.00 for each subsequent offense.

(f) No individual under 16 years of age may sell tobacco products, tobacco substitutes, or tobacco paraphernalia.

(g) No person shall engage in the importation, distribution, wholesale sale, or retail sale, or a combination of these, of tobacco products, tobacco substitutes, substances containing nicotine or otherwise intended for use with a tobacco substitute, or tobacco paraphernalia in the State unless the person is a licensed wholesale dealer as ~~defined in 32 V.S.A. § 7702~~ or has purchased the tobacco products, tobacco substitutes, substances containing nicotine or otherwise intended for use with a tobacco substitute, or tobacco paraphernalia from a licensed wholesale dealer.

(h) This section shall not apply to a cannabis establishment licensed pursuant to chapter 33 of this title to engage in the retail sale of cannabis products as defined in section 831 of this title but not engaged in the sale of tobacco products or tobacco substitutes.

* * *

§ 1002b. WHOLESALE DEALERS; LICENSE REQUIRED

(a) License required. Each wholesale dealer shall secure a license from the Division of Liquor Control before engaging in the business of selling tobacco products or tobacco substitutes in this State. Licensed wholesale dealers shall sell these products only to other Vermont licensed wholesale dealers or to retailers licensed pursuant to section 1002 of this chapter.

(b) Application for and issuance of license.

(1) A separate application and license shall be required for each wholesale outlet when a wholesale dealer owns or controls more than one such outlet. The license fee shall be \$1,245.00 annually for each outlet.

(2) A wholesale license may be issued by the Division upon application on forms prescribed by the Division, stating the name and address of the applicant, the address of the place of business at which the applicant proposes to engage in the wholesale business, the type of business, and such other information as the Division may require for the proper administration of this chapter. Each license issued pursuant to this section shall be prominently displayed on the premises covered by the license.

(c) Penalties for sales without license. Any wholesale dealer who sells, offers for sale, or possesses with intent to sell tobacco products or tobacco substitutes without having first obtained a license as provided in this section shall be subject to a civil penalty of not more than \$2,000.00 for the first offense and not more than \$5,000.00 for each subsequent offense.

(d) Term of license. Each license issued under the provisions of this section shall be valid for one year from the date of issue. If the business with respect to which the license was issued is sold or transferred or if the licensee ceases to do business at the place named, the license shall immediately be returned to the Division for cancellation.

(e) Revocation or suspension of license. The Division may revoke or suspend the license of any licensed wholesale dealer for failure to comply with any provision of this chapter, 11 V.S.A. chapter 15, 32 V.S.A. chapter 205, or 33 V.S.A. chapter 19, subchapter 1B.

* * *

§ 1005. PERSONS INDIVIDUALS UNDER 21 YEARS OF AGE; POSSESSION OR PURCHASE OF TOBACCO PRODUCTS PROHIBITED; PENALTY FOR MISREPRESENTING AGE OR PURCHASING TOBACCO PRODUCTS; PENALTY

(a)(1) ~~A person~~ An individual under 21 years of age shall not possess, purchase, or attempt to purchase tobacco products, tobacco substitutes, or tobacco paraphernalia unless:

(A) ~~the person~~ individual is an employee of a holder of a tobacco license and is in possession of tobacco products, tobacco substitutes, or tobacco paraphernalia to effect a sale in the course of employment; or

(B) ~~the person~~ individual is in possession of tobacco products or tobacco paraphernalia in connection with Indigenous cultural tobacco practices.

(2) ~~A person~~ An individual under 21 years of age shall not misrepresent ~~his or her~~ the individual's age to purchase or attempt to purchase tobacco products, tobacco substitutes, or tobacco paraphernalia.

(b) ~~A person~~ An individual who possesses tobacco products, tobacco substitutes, or tobacco paraphernalia in violation of subsection (a) of this section shall be subject to having the tobacco products, tobacco substitutes, or tobacco paraphernalia immediately confiscated ~~and shall be further subject to a civil penalty of \$25.00. An action under this subsection shall be brought in the same manner as a traffic violation pursuant to 23 V.S.A. chapter 24.~~

(c) ~~A person~~ An individual under 21 years of age who misrepresents the ~~person's~~ individual's age by presenting false identification to purchase tobacco products, tobacco substitutes, or tobacco paraphernalia shall be ~~subject to a civil penalty of not more than \$50.00 or provide~~ offered the choice of providing up to 10 hours of community service; or both participating in a nationally recognized youth tobacco cessation program to be determined by the Department of Health. An action under this section shall be brought in the same manner as a traffic violation pursuant to 23 V.S.A. chapter 24.

* * *

§ 1007. FURNISHING TOBACCO TO ~~PERSONS~~ INDIVIDUALS UNDER 21 YEARS OF AGE; PENALTIES; REPORT

(a)(1) ~~A person that~~ An individual who sells or furnishes tobacco products, tobacco substitutes, or tobacco paraphernalia to ~~a person~~ an individual under 21 years of age shall be subject to a civil penalty of not more than ~~\$100.00~~ \$150.00 for the first offense and not more than \$500.00 for any subsequent offense. An action under this section shall be brought in the same manner as for a traffic violation pursuant to 23 V.S.A. chapter 24 and shall be brought within 24 hours of following the occurrence of the alleged violation.

(2) In addition to the civil penalty imposed against an individual for a violation pursuant to subdivision (1) of this subsection, for any subsequent violation, the licensee may be subject to an administrative penalty and license suspension or revocation as set forth in subdivision (b)(2) of this section.

(b)(1) The Division of Liquor Control shall conduct or contract for compliance tests of tobacco licensees as frequently and as comprehensively as necessary to ensure consistent statewide compliance with the prohibition on sales to ~~persons~~ individuals under 21 years of age of at least 90 percent for buyers who are between 17 and 20 years of age. An individual under 21 years of age participating in a compliance test shall not be in violation of section 1005 of this title.

(2) Any violation by a tobacco licensee of subsection 1003(a) of this title ~~and~~ or this section after a sale violation or during a compliance test ~~conducted within six months of~~ after a previous violation shall be considered a multiple violation and shall result in the following administrative penalties and minimum license suspension ~~suspensions or license revocation~~, in addition to any other penalties available under this title. ~~Minimum license suspensions for multiple violations shall be assessed as follows:~~

(A) ~~two violations~~ second violation: suspension for two consecutive weekdays and an administrative penalty of not less than \$1,000.00;

(B) ~~three violations~~ 15-day third violation: suspension for 15 consecutive days and an administrative penalty of not less than \$2,000.00;

(C) ~~four violations~~ 90-day fourth violation: suspension for 90 consecutive days and an administrative penalty of not less than \$3,500.00; and

(D) ~~five violations~~ one-year suspension fifth violation: revocation of license and an administrative penalty of not less than \$5,000.00.

* * *

§ 1009. CONTRABAND AND SEIZURE

(a) Any cigarettes or other tobacco products or tobacco substitutes that have been sold, offered for sale, or possessed for sale in violation of section 1003, 1010, or 1013 of this title;² 20 V.S.A. § 2757;² 32 V.S.A. § 7786;² or 33 V.S.A. § 1919, and any commercial cigarette rolling machines possessed or utilized in violation of section 1011 of this title, shall be deemed contraband and shall be subject to seizure by the Commissioner, the Commissioner's agents or employees, the Commissioner of Taxes, or any agent or employee of the Commissioner of Taxes, or by any law enforcement officer of this State when directed to do so by ~~the~~ either Commissioner or by the Department of Liquor and Lottery. All ~~cigarettes or other tobacco products~~ items seized under this subsection shall be destroyed at the expense of the violator, and disposition shall be in compliance with the Agency of Natural Resources, Hazardous Waste Management Regulations (CVR 12-032-001).

(b)(1) Any person in possession of property considered contraband under this section shall be fined not more than \$1,000.00 nor less than \$500.00 per item.

(2) Any vehicle, aircraft or watercraft, or other conveyance in which property considered contraband under this section is found may be seized and subject to forfeiture and condemnation pursuant to sections 570 and 572–574 of this title.

§ 1010. INTERNET SALES

* * *

(b)(1) ~~No~~ Except as provided in subdivision (2) of this subsection, no person shall cause cigarettes, roll-your-own tobacco, little cigars, snuff, tobacco substitutes, substances containing nicotine or otherwise intended for use with a tobacco substitute, or tobacco paraphernalia, ordered or purchased by mail or through a computer network, telephonic network, or other electronic network, to be shipped to anyone other than a licensed wholesale dealer ~~or retail dealer~~ in this State.

(2) The prohibition set forth in subdivision (1) of this subsection shall not apply to a licensed wholesale dealer shipping directly to a licensed retail dealer in this State.

(c) No person shall, with knowledge or reason to know of the violation, provide substantial assistance to a person in violation of this section.

(d) A violation of this section is punishable as follows:

(1) A knowing or intentional violation of this section shall be punishable by imprisonment for not more than five years or a fine of not more than \$5,000.00, or both.

(2) In addition to or in lieu of any other civil or criminal remedy provided by law, upon a determination that a person has violated this section, the Attorney General may impose a civil penalty in an amount not to exceed \$5,000.00 for each violation. For purposes of this subsection, each shipment or transport of cigarettes, roll-your-own tobacco, little cigars, or snuff, tobacco substitutes, substances containing nicotine or otherwise intended for use with a tobacco substitute, or tobacco paraphernalia shall constitute a separate violation.

(e)(1) On or before January 15 of each year, the Department of Liquor and Lottery and the Office of the Attorney General shall each report to the House Committees on Commerce and Economic Development and on Human Services and the Senate Committees on Economic Development, Housing and General Affairs and on Health and Welfare regarding enforcement of Vermont laws relating to online sales of tobacco products, tobacco substitutes, and tobacco paraphernalia as set forth in this subsection.

(2) The Department of Liquor and Lottery shall report at least the following information for the previous 12-month period:

(A) the number of online compliance checks that the Department conducted;

(B) the number of cases relating to online sales activity that the Department referred to the Office of the Attorney General for further action; and

(C) the number of reports of unlawful online sales activity that the Department received from the public and the outcomes of those reports.

(3) The Office of the Attorney General shall report at least the following information for the previous 12-month period:

(A) the outcomes of cases related to online sales activity that were referred by the Department of Liquor and Lottery or any other governmental source;

(B) the number of reports of unlawful online sales activity that the Office received from the public and the outcomes of those reports; and

(C) the number and amounts of any monetary penalties imposed and other legal remedies executed by the Office related to online sales activity.

* * *

§ 1013. DECEPTIVE TOBACCO PRODUCTS AND TOBACCO
SUBSTITUTES PROHIBITED

(a) No person shall market, promote, label, brand, advertise, distribute, possess for sale, offer for sale, or sell a tobacco product or tobacco substitute by:

(1) imitating a product that is not a tobacco product or tobacco substitute, including:

(A) a food or brand of food commonly marketed to minors, including candy, desserts, cereal, and beverages;

(B) school supplies commonly used by minors, including erasers, highlighters, pens, and pencils;

(C) portable devices, including smartphones, smartwatches, video games or video game consoles, and inhalers; and

(D) a product based on or depicting a character, personality, or symbol known to appeal to minors, including a celebrity; a character in a comic book, movie, television show, or video game; or a mythical creature;

(2) concealing the nature of the tobacco product or tobacco substitute;
or

(3) using terms for, describing, or depicting a product described in subdivision (1) of this subsection.

(b)(1) In addition to or in lieu of any other civil or criminal remedy provided by law, upon a determination that a person has violated this section, the Attorney General may impose a civil penalty in an amount not to exceed \$5,000.00 for each violation. For purposes of this subsection, each instance of marketing, promoting, labeling, branding, advertising, distributing, possessing for sale, offering for sale, or selling a deceptive tobacco product or tobacco substitute shall constitute a separate violation.

(2) In any action brought pursuant to this section, the State shall be entitled to recover the costs of investigation, of expert witness fees, and of the action, and reasonable attorney's fees.

(3) A person who violates this section commits an unfair and deceptive trade practice in commerce in violation of 9 V.S.A. § 2453.

(4) In addition to the penalties and remedies described in subdivisions (1)–(3) of this subsection, the Attorney General has the same authority as provided under 9 V.S.A. chapter 63, subchapter 1.

Sec. 2. 4 V.S.A. § 1102(b) is amended to read:

(b) The Judicial Bureau shall have jurisdiction of the following matters:

* * *

(4) Violations of 7 V.S.A. § 1005, relating to ~~possession and procurement of tobacco products~~ misrepresentation of age by a person under 21 years of age to purchase tobacco products.

* * *

Sec. 3. 7 V.S.A. § 210 is amended to read:

§ 210. SUSPENSION OR REVOCATION OF LICENSE OR PERMIT;
ADMINISTRATIVE PENALTY

(a)(1) The control commissioners, as applicable, or the Board of Liquor and Lottery shall have power to suspend or revoke any permit or license granted pursuant to this title in the event the person holding the permit or license shall at any time during the term of the permit or license conduct its business in violation of this title, the conditions pursuant to which the permit or license was granted, or any rule prescribed by the Board of Liquor and Lottery.

(2) No revocation shall be made until the permittee or licensee has been notified and given a hearing before the Board of Liquor and Lottery, unless the permittee or licensee has been convicted by a court of competent jurisdiction of violating the provisions of this title.

(3) In the case of a suspension, the permittee or licensee shall be notified and given a hearing before the Board of Liquor and Lottery or the local control commissioners, whichever applies.

(4) Any decision to suspend or revoke a license shall be issued in writing and set forth the reasons for the suspension or revocation and, if applicable, the duration of the suspension.

(5) ~~A tobacco license may not be suspended or revoked for a first-time violation.~~ Suspension or revocation of a tobacco license shall not affect any liquor license held by the licensee.

(b)(1) In addition to the authority to suspend or revoke any permit or license, the Board of Liquor and Lottery may impose an administrative penalty of up to \$7,500.00 per violation against a holder of a wholesale dealer's license ~~or~~; a holder of a first-, second-, or third-class license; or a holder of any tobacco license for a violation of the conditions of the license or of this title or of any rule adopted by the Board.

(2) The administrative penalty may be imposed after a hearing before the Board or after the licensee has been convicted by a court of competent jurisdiction of violating the provisions of this title.

~~(3) The Board may also impose an administrative penalty under this subsection against a holder of a tobacco license of up to \$250.00 for a first violation and up to \$2,500.00 for subsequent violations. [Repealed.]~~

~~(4) For the first violation during a tobacco or alcohol compliance check during any three-year period, a licensee or permittee shall receive a warning and be required to attend a Division server training class. [Repealed.]~~

* * *

Sec. 4. 32 V.S.A. § 3102 is amended to read:

§ 3102. CONFIDENTIALITY OF TAX RECORDS

* * *

(e) The Commissioner may, in the Commissioner's discretion and subject to such conditions and requirements as the Commissioner may provide, including any confidentiality requirements of the Internal Revenue Service, disclose a return or return information:

* * *

(25) To the Department of Liquor and Lottery, if such return or information is for purposes of investigating potential violations of and enforcing 7 V.S.A. chapter 40.

* * *

Sec. 5. 32 V.S.A. § 7702 is amended to read:

§ 7702. DEFINITIONS

As used in this chapter unless the context otherwise requires:

(1) "Cigarette" means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains:

(A) any roll of tobacco wrapped in paper or in any substance not containing tobacco; ~~and~~

(B) tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; or

(C) any roll of tobacco wrapped in substance containing tobacco that, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subdivision (A) of this subdivision (1).

* * *

(5) “Licensed wholesale dealer” ~~shall mean~~ means a wholesale dealer licensed under the provisions of ~~this chapter~~ 7 V.S.A. § 1002b.

* * *

(15)(A) “Other tobacco products” means any product manufactured from, derived from, or containing tobacco or nicotine, whether natural or synthetic, including nicotine alkaloids and nicotine analogs, that is intended for human consumption by smoking, chewing, or in any other manner, ~~including~~ except as otherwise specified in subdivision (B) of this subdivision (15).

(B)(i) The term includes products sold as a tobacco substitute, as defined in 7 V.S.A. § 1001(8), ~~and~~ including any liquids, whether nicotine based or not, ~~or~~ and delivery devices sold separately for use with a tobacco substitute, but ~~shall not including~~ nicotine pouches.

(ii) The term does not include cigarettes, little cigars, roll-your-own tobacco, snuff, new smokeless tobacco as defined in this section, or cannabis products as defined in 7 V.S.A. § 831.

(16) “Wholesale dealer” means a person who imports or causes to be imported into the State any cigarettes, little cigars, roll-your-own tobacco, snuff, new smokeless tobacco, or other tobacco product for sale or who sells or furnishes any of these products to other wholesale dealers or retail dealers for the purpose of resale, but not by small quantity or parcel to consumers ~~thereof~~ of these products.

(17) “Wholesale dealer’s license” ~~shall mean~~ means the license granted under the provisions of ~~this chapter~~ 7 V.S.A. § 1002b to a wholesale dealer for a wholesale outlet.

* * *

(20) “New smokeless tobacco” means any tobacco product manufactured from, derived from, or containing tobacco or nicotine, whether natural or synthetic, including nicotine alkaloids and nicotine analogs, that is not intended to be smoked, has a moisture content of less than 45 percent, or is offered in individual single-dose tablets or other discrete single-use units, and includes nicotine pouches.

* * *

Sec. 6. 32 V.S.A. § 7776 is amended to read:

§ 7776. COLLECTION OF CIGARETTE TAX THROUGH
NONRESIDENT LICENSED WHOLESALE DEALERS

* * *

(d) Any person complying with the provisions of this section shall thereupon become a licensed wholesale dealer within the meaning of 7 V.S.A. chapter 40 and this chapter and shall be subject to all provisions of ~~the chapter~~ both chapters applicable to wholesale dealers, including the furnishing of a bond specified in ~~subchapter 2 section 7703~~ section 7703 of this chapter.

Sec. 7. 32 V.S.A. § 7821 is amended to read:

§ 7821. CRIMINAL PENALTIES

Any person who shall fail, neglect, or refuse to comply with or shall violate the provisions of this chapter relating to the tax on tobacco products or the rules adopted by the Commissioner under this chapter relating to such tax shall be guilty of a misdemeanor and upon conviction for a first offense shall be sentenced to pay a fine of not more than \$250.00 or to be imprisoned for not more than 60 days, or both, such fine and imprisonment in the discretion of the court, and for a second or subsequent offense shall be sentenced to pay a fine of not less than \$250.00 nor more than \$500.00 or be imprisoned for not more than six months, or both, such fine and imprisonment in the discretion of the court. This section shall not apply to violations of ~~sections 7731–7734 and section 7776~~ section 7776 of this title.

Sec. 8. REDESIGNATION

32 V.S.A. § 7737 (licensed wholesale dealers; bonding) is redesignated as 32 V.S.A. § 7703.

Sec. 9. REPEALS

32 V.S.A. §§ 7731–7736 (licensure of wholesale dealers) are repealed.

Sec. 10. TOBACCO ENFORCEMENT CAPACITY; REPORT

(a) The General Assembly finds that the regulation of tobacco products, tobacco substitutes, and the deceptive devices prohibited by 7 V.S.A. § 1013, as added by this act, is a significant public health priority, especially with respect to protecting individuals under 21 years of age from being targeted or supplied with these products.

(b) On or before January 15, 2027, the Department of Liquor and Lottery, in consultation with the Office of the Attorney General, shall evaluate and report to the House Committees on Human Services and on Commerce and Economic Development and the Senate Committees on Health and Welfare and on Economic Development, Housing and General Affairs regarding the following:

(1) the number of compliance checks that the Department conducted in fiscal years 2025 and 2026 with respect to tobacco products and tobacco substitutes;

(2) whether the Department's current enforcement staffing levels are sufficient to meet the compliance targets established in 7 V.S.A. § 1007(b)(1) and to adequately enforce 7 V.S.A. chapter 40 as amended by this act, including the prohibition on deceptive devices in 7 V.S.A. § 1013, the restrictions on internet sales in 7 V.S.A. § 1010, and the expanded wholesale licensure requirements;

(3) any unmet enforcement needs identified as a result of the expanded scope of regulation under this act; and

(4) whether additional staffing resources at the Department of Liquor and Lottery or the Office of the Attorney General, or both, would materially improve compliance with and enforcement of Vermont's tobacco laws.

Sec. 11. TAXATION OF TOBACCO SUBSTITUTES; TAX STAMPS;
REPORT

(a) The Office of the Attorney General, in collaboration with the Departments of Taxes and of Liquor and Lottery and in consultation with wholesale dealers and other interested stakeholders, shall:

(1) identify efficient and effective processes by which to impose taxes on tobacco products and tobacco substitutes, as defined in 7 V.S.A. § 1001, as amended by this act, including opportunities to base taxation on a product's nicotine concentration or on the volume of a product's nicotine tank, or both; and

(2) evaluate the continued use of tax stamps in this State as evidence of payment of the excise tax on tobacco products and tobacco substitutes, as defined in 7 V.S.A. § 1001, as amended by this act; explore the potential to transition to a more modern process, such as quick-response (QR) codes or other digitized systems; and consider the advantages and disadvantages of using alternative approaches for certifying tax compliance.

(b) On or before January 15, 2027, the Office of the Attorney General shall provide its findings and recommendations for the items set forth in subsection (a) of this section, including proposed next steps and legislative needs, to the House Committees on Commerce and Economic Development, on Human Services, and on Ways and Means and the Senate Committees on Economic Development, Housing and General Affairs; on Finance; and on Health and Welfare.

Sec. 12. EFFECTIVE DATES

This act shall take effect on July 1, 2026, except that:

(1) in Sec. 1 (7 V.S.A. chapter 40), section 1002b (wholesale dealers; license required) shall take effect on July 1, 2027;

(2) in Sec. 5 (32 V.S.A. § 7702), the amendments to subdivisions (5) (definition of “licensed wholesale dealer”) and (17) (definition of “wholesale dealer’s license”) shall take effect on July 1, 2027; and

(3) Secs. 6 (32 V.S.A. § 7776), 7 (32 V.S.A. § 7821), 8 (redesignation), and 9 (repeals) shall take effect on July 1, 2027.

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

Rules Suspended; Proposal of Amendment; Third Reading Ordered

H. 686.

Appearing on the Calendar for notice, on motion of Senator Baruth, the rules were suspended and House bill entitled:

An act relating to expanding identification of certain lobbying advertisements.

Was taken up for immediate consideration.

Senator Vyhovsky, for the Committee on Government Operations, to which the bill was referred, 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. 2 V.S.A. § 261 is amended to read:

§ 261. DEFINITIONS

As used in this chapter:

* * *

(9) "Lobby" or "lobbying" means:

(A) to communicate ~~orally or in writing~~ with any legislator or administrative official for the purpose of influencing legislative or administrative action;

(B) solicitation of others to influence legislative or administrative action;

(C) an attempt to obtain the goodwill of a legislator or administrative official by communications or activities with that legislator or administrative official intended ultimately to influence legislative or administrative action; or

(D) activities sponsored by an employer or lobbyist on behalf of or for the benefit of the members of an interest group, if a principal purpose of the activity is to enable such members to communicate ~~orally~~ with one or more legislators or administrative officials for the purpose of influencing legislative or administrative action or to obtain their goodwill.

* * *

Sec. 2. 2 V.S.A. § 264c is amended to read:

§ 264c. IDENTIFICATION IN AND REPORT OF CERTAIN LOBBYING
ADVERTISEMENTS

(a) Identification.

(1) An advertisement that is intended, designed, or calculated to influence legislative action or to solicit others to influence legislative action and that is made at any time ~~prior to final adjournment of a biennial or adjourned legislative session~~ shall contain the name of any lobbyist, lobbying firm, or lobbyist employer that made an expenditure for the advertisement and language that the advertisement was paid for, or paid in part, by the lobbyist, lobbying firm, or lobbyist employer; provided, however:

* * *

(b) Report.

(1) In addition to any other reports required to be filed under this chapter, a lobbyist, lobbying firm, or lobbyist employer shall file an advertisement report with the Secretary of State if he, she, or it makes an expenditure or expenditures:

(A) for any advertisement that is described in subsection (a) of this section and that has a cost totaling \$1,000.00 or more; or

(B) for any advertising campaign that contains advertisements described in subsection (a) of this section and that has a cost totaling \$1,000.00 or more.

(2) The report shall be made for each advertisement or advertising campaign described in subdivision (1) of this subsection and shall identify:

(A) the lobbyist, lobbying firm, or lobbyist employer that made the expenditure;

(B) the amount and date of the expenditure and to whom it was paid; and

(C) a brief description of the advertisement or advertising campaign, including:

(i) any enacted or introduced bill or any issue featured in the advertisement or advertising campaign;

(ii) any specific person featured in the advertisement or advertising campaign; and

(iii) whether the intent or content in the advertisement or advertising campaign offers an opinion of support, opposition, or neutrality on a bill, issue, or person.

(3) Notwithstanding subdivision (1) of this subsection, an advertisement report need not be filed if the lobbyist, lobbying firm, or lobbyist employer has already filed the necessary reports and disclosures required under 17 V.S.A. chapter 61, subchapter 4, for the same advertisement or advertising campaign.

(c) Definitions. As used in this section:

(1) “Advertisement” means a notice that appears in any of the following public media: radio, television, newspapers or other periodicals, or internet websites.

(2) “Advertising campaign” means advertisements substantially similar in nature, regardless of the media in which they are placed.

Sec. 3. 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.

Rules Suspended; Action Messaged

On motion of Senator Baruth, the rules were suspended, and the action on the following bills was ordered messaged to the House forthwith:

H. 550. An act relating to gender equity within Vermont's correctional facilities.

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

H. 648. An act relating to banking, insurance, and securities.

H. 841. An act relating to miscellaneous animal welfare procedures.

H. 932. An act relating to the regulation of forestry under Act 250.

H. 937. An act relating to miscellaneous judiciary procedures.

H. 938. An act relating to establishing the Vermont Homelessness Response Continuum.

H. 941. An act relating to municipal regulation of agriculture.

Message from the House No. 72

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 considered Senate proposal of amendment to House bill:

H. 907. An act relating to legislative review of reporting requirements.

And has severally concurred therein with further amendments in the passage of which the concurrence of the Senate is requested.

Adjournment

On motion of Senator Baruth, the Senate adjourned until ten o'clock in the morning.