

1 S.109

2 Representative Emmons of Springfield moves that the proposal of  
3 amendment of the Committee on Judiciary be further amended by adding new  
4 Secs. 34a, 34b, and 34c to read as follows:

5 Sec. 34a. 4 V.S.A. § 39 is amended to read:

6 § 39. CAPITAL BUDGET REQUESTS; COUNTY COURTHOUSES

7 (a) On or before October 1 each year, any county requesting capital funds  
8 for its courthouse, or court operations, shall submit a request to the Court  
9 Administrator. As used in this subsection, “court operations” shall not include  
10 operating expenses.

11 (b) The Court Administrator shall evaluate requests based on the following  
12 criteria:

13 (1) whether the funding request is consistent with the county’s capital  
14 plan program developed pursuant to 24 V.S.A. § 4430;

15 (2) whether the project that is the subject of the request has been  
16 included in the list of capital projects in the county’s budget pursuant to 24  
17 V.S.A. § 4430, and, if so, the description of the project included in the budget;

18 (3) the status of the whether the county has established a capital reserve  
19 fund pursuant to 24 V.S.A. § 133(e)(3), and, if so, whether the county has  
20 made sufficient the amount of annual contributions the county has made to the  
21 fund;

1           ~~(1)~~(4) whether the funding request relates to an emergency that will  
2 affect the court operations and the administration of justice;

3           ~~(2)~~(5) whether there is a State-owned courthouse in the county that  
4 could absorb court activities in lieu of this capital investment;

5           ~~(3)~~(6) whether the county consistently has invested in major  
6 maintenance in the courthouse;

7           ~~(4)~~(7) whether the request relates to a State-mandated function;

8           ~~(5)~~(8) whether the request diverts resources of other current Judiciary  
9 capital priorities;

10          ~~(6)~~(9) whether the request is consistent with the long-term capital needs  
11 of the Judiciary, including providing court services adapted to modern needs  
12 and requirements; and

13          ~~(7)~~(10) any other criteria as deemed appropriate by the Court  
14 Administrator.

15          (c) Based on the criteria described in subsection (b) of this section, the  
16 Court Administrator shall make a recommendation to the Commissioner of  
17 Buildings and General Services regarding whether the county's request should  
18 be included as part of the Judiciary's request for capital funding in the  
19 Governor's annual proposed capital budget request.

20          (d) On or before January 15 of each year, the Court Administrator shall  
21 advise the House Committee on Corrections and Institutions and the Senate

1 Committee on Institutions of all county requests received and the Court  
2 Administrator’s recommendations for the proposed capital budget request.

3 **Sec. 34b. REPORT**

4 On or before January 15, 2026, shall report to the House Committee on  
5 Corrections and Institutions and the Senate Committee on Institutions on the  
6 progress made to implement the provisions of Sec. 34a of this Act. The report  
7 shall include a description of the steps taken and processes considered to  
8 ensure that capital budget requests for county courthouses include the  
9 information required by Sec. 34a of this Act.

10 **Sec. 34c. EFFECTIVE DATE**

11 Sec. 34a of this act shall take effect on July 1, 2026.