

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 three
4 new sections to be 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” does 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 a capital program
14 developed pursuant to 24 V.S.A. § 133(e)(3);

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. § 133(e)(1), and, if so, the description of the project included in the
18 budget;

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

1 (4) whether the funding request relates to an emergency that will affect
2 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, the Court Administrator, in consultation
5 with the Vermont Association of County Judges, shall report to the House
6 Committee on Corrections and Institutions and the Senate Committee on
7 Institutions on the progress made to implement the provisions of Sec. 34a of
8 this act. The report shall include a description of the steps taken and processes
9 considered, and any proposed legislative changes necessary, to ensure that
10 capital budget requests for county courthouses include the information required
11 by Sec. 34a of this act.

12 Sec. 34c. EFFECTIVE DATE

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