

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 744  
3 entitled “An act relating to procedures for arrest without a warrant”  
4 respectfully reports that it has considered the same and recommends that the  
5 bill be amended by striking out all after the enacting clause and inserting in  
6 lieu thereof the following:

7 Sec. 1. Rule 3 of the Vermont Rules of Criminal Procedure is amended to  
8 read:

9 Rule 3. Arrest Without Warrant; Citation to Appear

10 \* \* \*

11 (k) Temporary Release. A law enforcement officer arresting a person shall  
12 contact a judicial officer for determination of temporary release pursuant to  
13 Rule 5(b) of these rules without unnecessary delay. The law enforcement  
14 officer shall provide the judicial officer with an affidavit or sworn statement as  
15 required by Rule 4(a) of these rules, and information upon which the  
16 determination as to temporary release may be made. ~~The affidavit or sworn~~  
17 ~~statement must indicate the crimes to be charged by the arresting officer. The~~  
18 procedures and standards established by the Presiding Judge of each unit  
19 pursuant to Rule 5(b) may require that the affidavit or sworn statement include  
20 the charge or charges that the prosecuting attorney intends to file and may

1 require that the affidavit also include any conditions of release, including bail  
2 or an order to hold without bail, that the prosecuting attorney is requesting.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 2, 2026.

5 and that after passage the title of the bill be amended to read: “An act relating  
6 to procedures for release after arrest”

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13 (Committee vote: \_\_\_\_\_)

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Representative \_\_\_\_\_

FOR THE COMMITTEE