

Title 13 : Crimes and Criminal Procedure

Chapter 223 : Fines, Costs, and Penalties

Subchapter 004 : ASSESSMENT AND COLLECTION OF ADDITIONAL SURCHARGES

(Cite as: 13 V.S.A. § 7282)

- **§ 7282. Surcharge**

(a) In addition to any penalty or fine imposed by the court for a criminal offense or any civil penalty imposed by the Judicial Bureau for a traffic violation, including any violation of a fish and wildlife statute or regulation, violation of a motor vehicle statute, or violation of any local ordinance relating to the operation of a motor vehicle, except violations relating to seat belts and child restraints and ordinances relating to parking violations, the clerk of the court or Judicial Bureau shall levy an additional surcharge of:

(1) \$5.00 for any offense or violation committed prior to June 1, 1990.

(2) \$8.00 for any offense or violation committed after May 31, 1990, but before July 1, 1991, of which \$3.00 shall be deposited into a special fund account to be known as the Victim' Compensation Fund.

(3) \$10.00 for any offense or violation committed after June 30, 1991, but before July 1, 1993, of which \$5.00 shall be deposited into a special fund account to be known as the Victims Compensation Fund.

(4) \$17.50 for any offense or violation committed after June 30, 1993, but before July 1, 2001, of which \$12.50 shall be deposited into a special fund account to be known as the Victims Compensation Fund.

(5) \$20.50 for any offense or violation committed after June 30, 2001, but before July 1, 2003, of which \$13.50 shall be deposited into a special fund account to be known as the Victims Compensation Fund.

(6) For any offense or violation committed after June 30, 2003, but before July 1, 2005, \$21.00, of which \$13.75 shall be deposited into the Victims Compensation Special Fund.

(7) For any offense or violation committed after June 30, 2005, but before July 1, 2006, \$22.00, of which \$14.75 shall be deposited into the Victims Compensation Special Fund.

(8)(A) For any offense or violation committed after June 30, 2006, but before July 1, 2008, \$26.00, of which \$18.75 shall be deposited in the Victims Compensation Special Fund.

(B) For any offense or violation committed after June 30, 2008, but before July 1, 2009, \$36.00, of which \$28.75 shall be deposited in the Victims Compensation Special Fund.

(C) For any offense or violation committed after June 30, 2009, but before July 1, 2013, \$41.00, of which \$23.75 shall be deposited in the Victims Compensation Special Fund created by section 5359 of this title, and of which \$10.00 shall be deposited in the Domestic and Sexual Violence Special Fund created by section 5360 of this title.

(D) For any offense or violation committed after June 30, 2013, but before July 1, 2023, \$47.00, of which \$29.75 shall be deposited in the Victims Compensation Special Fund created by section 5359 of this title, and of which \$10.00 shall be deposited in the Domestic and Sexual Violence Special Fund created by section 5360 of this title.

(E) For any offense or violation committed after June 30, 2023, \$47.00, of which \$33.50 shall be deposited in the Victims Compensation Special Fund created by section 5359 of this title, and of which \$13.50 shall be deposited in the Domestic and Sexual Violence Special Fund created by section 5360 of this title.

(9) For any offense or violation committed after June 30, 2003, an amount equal to 15 percent of the fine imposed for the offense, rounded upward to the nearest whole dollar, which shall be deposited into the Crime Victims' Restitution Special Fund established by section 5363 of this title.

(b) The surcharges imposed by this section shall not be waived by the court except as part of an expungement or sealing proceeding where the petitioner demonstrates an inability to pay.

(c) SIU surcharge. In addition to any penalty or fine imposed by the court for a criminal offense committed after July 1, 2009, the clerk of the court shall levy an additional surcharge of \$100.00 to be deposited in the General Fund, in support of the Specialized Investigative Unit Grants Board created in 24 V.S.A. § 1940(c), and used to pay for the costs of Specialized Investigative Units. (Added 1985, No. 182 (Adj. Sess.), § 1; amended 1989, No. 109, § 9; 1989, No. 214 (Adj. Sess.), § 3, eff. May 31, 1990; 1993, No. 88, § 1; 2001, No. 65, § 4; 2003, No. 57, § 7, eff. June 4, 2003; 2005, No. 72, § 23; 2005, No. 202 (Adj. Sess.), § 23; 2007, No. 40, § 9, eff. July 1, 2012; 2007, No. 174 (Adj. Sess.), § 20; 2009, No. 47, § 12, eff. July 1, 2012; 2011, No. 63, § E.221.3; 2011, No. 162 (Adj. Sess.), § E.220.2; 2013, No. 72, § 12; 2021, No. 58, § 2; 2023, No. 78, § E.204.1, eff. July 1, 2023; 2023, No. 161 (Adj. Sess.), § 12, eff. June 6, 2024.)