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To: Senate Committee on Government Operations  
From: Lindsey Owen, Executive Director, and Laura Cushman, Attorney, DRVT  
Re: S. 81, An Act Relating to Prohibiting Municipal Regulation of the Use of Hygienic Face Masks  
Date: 4/3/2025

Thank you, Chairperson Collamore, Vice Chairperson Vyhovsky, and members of the Senate Committee on Government Operations, for taking the time to read and consider our testimony in support of S. 81.

Disability Rights Vermont (DRVT) is the Protection and Advocacy agency for the State of Vermont. Protection and Advocacy agencies in all U.S. States and Territories are tasked and funded to investigate abuse, neglect, and rights violations impacting individuals with disabilities, and seek remedies for those individuals. Where possible, Protection and Advocacy agencies also advocate for or against systemic changes to prevent future harm to disabled members of our communities.

DRVT stands in support of the tri-partisan bill, S.81, and its fifteen Senator co-sponsors. We agree that “no municipal corporation, by ordinance, resolution, rule, or other enactment,” should be allowed to, “directly limit or prohibit the use of hygienic face masks.”

We understand that municipalities do have limited, local health-rule making authority, but in the case of the use of personal protective hygienic masks, believe that this restriction on municipal authority should be added to existing restrictions in 24 V.S.A., and Vermont statutory authority should supersede municipal authority.

When it comes to illness and infections each of us bears our own risk, and our own responsibility to manage that risk, for personal well-being. For some individuals who are pregnant, aging, living with severe medical conditions, or who are immuno-compromised, it is important they have the ability to proactively avoid infection, if they choose. For others who communicate by lip-reading, have facial deformities, or certain mental health conditions, masking may not be the best preventative option. Whether or not to wear a hygienic mask in response to the infectious hazards of a pandemic, or the threat of seasonal respiratory infections and allergens, is a personal health decision. It is vitally important that people in Vermont maintain their individual freedom to choose for themselves whether to use hygienic masks, and that their municipalities are not making that decision for them.