

1 Sec. **XX**. 9 V.S.A. § 4555 is amended to read:

2 § 4555. INFORMATION; DISCLOSURE AND CONFIDENTIALITY

3 (a)(1) Except as provided in this subsection, the Human Rights  
4 Commission’s complaint files and investigative files shall be confidential.

5 (2) The Commission shall make the investigative file available to the  
6 charging party, the respondent, their attorneys, and any State or federal law  
7 enforcement agency seeking to enforce ~~anti-discrimination~~ antidiscrimination  
8 statutes, upon reasonable request, except that the Commission may refuse to  
9 disclose:

10 (A) the identities of nonparty witnesses to the investigation if good  
11 cause is shown to protect the witness’s confidentiality; or

12 (B) records or information the release of which may be prohibited  
13 under State or federal law absent court order.

14 (3) For any complaint initiated pursuant to subsection 4554(b) of this  
15 title, the Commission shall make any resulting investigative report available to  
16 the public after the Commission has issued a final determination and after the  
17 parties have been notified of the Commission’s determination, except that the  
18 Commission shall not disclose:

19 (A) the identities of nonparty witnesses to the investigation if good  
20 cause is shown to protect the witness’s confidentiality;

1           (B) information the release of which may be prohibited under State  
2           or federal law absent court order; and

3           (C) the identity of the parties and any information that would identify  
4           the parties if the Commission finds that there are no reasonable grounds to  
5           believe that discrimination occurred.

6           (4) A party or entity denied information or records under subdivision  
7           (2)(A) or (B) of this subsection may seek the information or records by  
8           subpoena. The Commission and any affected person may contest the subpoena  
9           in court.

10          ~~(4)~~(5) Any records or information described in subdivision (2)(A) or (B)  
11          of this subsection made available to a party or entity pursuant to a  
12          confidentiality agreement or court order requiring confidentiality shall be kept  
13          confidential in accordance with the agreement or order, unless disclosure is  
14          otherwise authorized by law or court order.

15          (b) Nothing said or done as part of conciliation efforts under this chapter  
16          may be made a matter of public record or used as evidence in a subsequent  
17          civil action without written consent of the parties. Final settlement agreements  
18          shall be public documents and the parties shall be so informed.

19          (c) If the Commission determines that there are reasonable grounds to  
20          believe that discrimination has occurred, that determination and the names of  
21          the parties may be made public after the parties have been notified of the

1 Commission’s determination. If the Commission finds that there are no  
2 reasonable grounds to find discrimination, the identity of the parties and any  
3 information that would identify the parties shall remain confidential. The  
4 Commission shall inform the parties about the provisions of this subsection. In  
5 all cases, even if the records are confidential, the facts may be used for  
6 educational purposes if sufficiently altered so that no person involved in a case  
7 can be identified.

8 Sec. **XX**. APPLICATION TO PENDING INVESTIGATIONS

9 This act shall apply to any pending investigations by the Human Rights  
10 Commission.

11 Sec. **XX**. EFFECTIVE DATE

12 This act shall take effect on July 1, 2026.