

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred House Bill No. 937  
3 entitled “An act relating to miscellaneous judiciary procedures” respectfully  
4 reports that it has considered the same and recommends that the Senate  
5 propose to the House that the bill be amended as follows:

6 First: By striking out Sec. 3, 7 V.S.A. § 1005, in its entirety inserting in  
7 lieu thereof a new Sec. 3 to read as follows:

8 Sec. 3. [Deleted.]

9 Second: By adding two new sections to be Secs. 40a – 40c to read as  
10 follows:

11 Sec. 40a. 28 V.S.A. § 102 is amended to read:

12 § 102. COMMISSIONER OF CORRECTIONS; APPOINTMENT;

13 POWERS; RESPONSIBILITIES

14 \* \* \*

15 (c) The Commissioner is charged with the following responsibilities:

16 \* \* \*

17 (24) To provide and sustain trauma-informed family support services  
18 and programming pursuant to section 128 of this title.

19 (25) To provide notification and other services to victims.

20 Notwithstanding any other provision of law requiring the Department to

1 provide notification or other services to victims, a victim may decline any  
2 notification or other service provided by the Department.

3 Sec. 40b. 13 V.S.A. § 2029 is amended to read:

4 § 2029. HOME IMPROVEMENT AND LAND IMPROVEMENT FRAUD

5 \* \* \*

6 (b) A person commits the offense of home improvement or land  
7 improvement fraud when the person knowingly enters into a contract ~~or,~~  
8 agreement, or change order, written or oral, for \$1,000.00 or more, with an  
9 owner for home improvement or land improvement, or into several contracts  
10 ~~or,~~ agreements, or change orders for \$2,500.00 or more in the aggregate, with  
11 more than one owner for home improvement or land improvement, and the  
12 person knowingly:

13 ~~(1)(A) fails to perform the contract or agreement, in whole or in part;~~

14 ~~and~~

15 ~~(B) when the owner requests performance, payment, or a refund of~~  
16 ~~payment made, the person fails to either:~~

17 ~~(i) refund the payment;~~

18 ~~(ii) make and comply with a definite plan for completion of the~~  
19 ~~work that is agreed to by the owner; or~~

20 ~~(iii) make the payment promises performance that the person does~~  
21 ~~not intend to perform or knows will not be performed, in whole or in part;~~



1 immunity, the State shall indemnify the employee for the amount of the  
2 employee’s liability.

3 (b) The maximum liability of the State under this section shall be  
4 \$500,000.00 to any one person and the maximum aggregate liability shall be  
5 \$2,000,000.00 to all persons arising out of each occurrence.

6 \* \* \*

7  
8

9 (Committee vote: \_\_\_\_\_)

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11  
12

\_\_\_\_\_  
Senator \_\_\_\_\_  
FOR THE COMMITTEE