

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 and 40b 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;~~

