

1 H.937

2 Senator Hashim moves that the report of the Committee on Judiciary be
3 amended in the fourth instance of amendment by striking out “eight” and
4 inserting in lieu thereof “nine” and by striking out “Secs. 40a–40h” and
5 inserting in lieu thereof “Secs. 40a–40i” and by adding a Sec. 40i to read as
6 follows:

7 Sec. 40i. 13 V.S.A. § 7551 is amended to read:

8 § 7551. IMPOSITION OF BAIL, SECURED APPEARANCE BONDS, AND
9 APPEARANCE BONDS

10 * * *

11 (b) Limitation on imposition of bail, secured appearance bonds, and
12 appearance bonds.

13 (1) Except as provided in subdivision (2) of this subsection, no bail,
14 secured appearance bond, or appearance bond may be imposed:

15 (A) at the initial appearance of a person charged with a misdemeanor
16 if the person was cited for the offense in accordance with Rule 3 of the
17 Vermont Rules of Criminal Procedure; or

18 (B) at the initial appearance or upon the temporary release pursuant
19 to Rule 5(b) of the Vermont Rules of Criminal Procedure of a person charged
20 with a violation of a misdemeanor offense that is eligible for ~~expungement~~
21 sealing pursuant to subdivision 7601(4)(A) of this title.

1 (2) In the event the court finds that imposing bail is necessary to
2 mitigate the risk of flight from prosecution for a person charged with a
3 violation of a misdemeanor offense that is eligible for ~~expungement~~ sealing
4 pursuant to subdivision 7601(4)(A) of this title, the court may impose bail in a
5 maximum amount of \$200.00. The \$200.00 limit shall not apply to an offense
6 allegedly committed by a defendant who has been released on personal
7 recognizance or conditions of release pending trial for another offense.

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