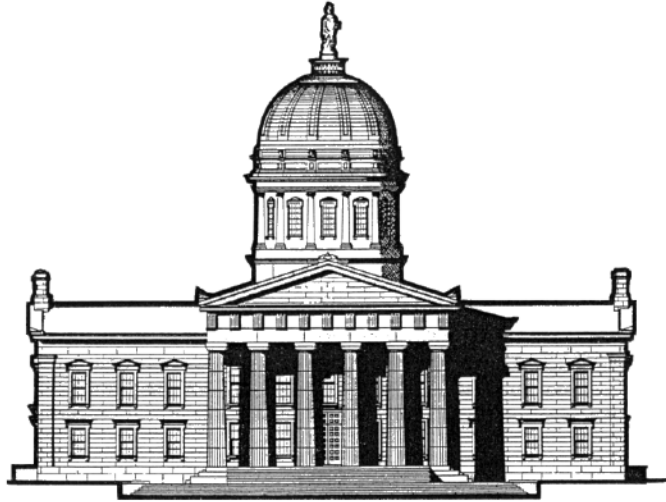


# STATE OF VERMONT



## SUMMARY OF THE ACTS of the 2024 VERMONT GENERAL ASSEMBLY

Prepared by the  
Office of Legislative Counsel

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These act summaries are provided for the convenience of the public and members of the General Assembly. They are intended to provide a general summary of the acts and may not be exhaustive. They have been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. They are not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

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**Act No. 82 (S.160). An act relating to State education property taxes and flood-related damage**

**Subjects: Taxation; statewide education property tax; abatements**

This act allows a municipality to receive reimbursement of education property tax payments owed for properties that were considered lost or destroyed due to severe storms and floods in an area that was declared a federal disaster between July 1, 2023 and October 15, 2023. To be eligible for reimbursement for a property, the municipality must have abated education taxes in proportion to municipal taxes.

For tax years 2023 and 2024, disaster relief payments are excluded from household income for purposes of calculating a homestead property tax credit.

Effective Date: February 7, 2024

**Act No. 83 (H.599). An act relating to retroactively reinstating 10 V.S.A. § 6081(b)**

**Subjects: Land use; conservation and development; Act 250**

This act retroactively reinstates 10 V.S.A. § 6081(b), which was repealed in 2023.

Effective Date: June 8, 2023

**Act No. 84 (H.850). An act relating to transitioning education financing to the new system for pupil weighting**

**Subjects: Education financing; education taxes; rewarning of school district budgets**

This act creates a mechanism to provide tax rate decreases for school districts that lost tax capacity due to the changes to per pupil weighting in Act 127 of 2022. The tax rate decreases phase out over a five-year period from fiscal years 2025–2029. This mechanism replaces the five percent cap on tax rate increases from Act 127.

School districts are allowed to cancel a district vote on an article and rewarn the budget. The sum of \$500,000.00 is appropriated from the General Fund in fiscal year 2024 to assist districts with rewarning budgets.

Effective Date: February 22, 2024

**Act No. 85 (H.849). An act relating to technical corrections for the 2024 legislative session**

**Subjects: Technical corrections; Legislature; Vermont Statutes Annotated**

This act makes technical corrections to numerous sections of the Vermont Statutes Annotated, including statutes related to labor and employment, libraries, motor vehicles, and public utilities.

Multiple effective dates, beginning on July 1, 2024

**Act No. 86 (S.154). An act relating to the Vermont State Plane Coordinate System**

**Subjects: General provisions; Vermont Coordinate System**

This act amends 1 V.S.A. chapter 17 to transition Vermont's system of plane coordinates to the most recent version of the State Plane Coordinate System adopted by the National Geodetic Survey.

Effective Date: March 4, 2024

**Act No. 87 (H.839). An act related to fiscal year 2024 budget adjustments**

**Subjects: Appropriations; budget adjustment act; fiscal year 2024**

This act is the fiscal year 2024 budget adjustment. For more information, please see the website of the Joint Fiscal Office at: <https://ljfo.vermont.gov/subjects/appropriations-and-budget/fy-2024>

Multiple effective dates, beginning on July 1, 2023

**Act No. 88 (H.469). An act relating to remote and electronic processes for executing an advance directive**

**Subjects: Health; advance directives; Ulysses clause; remote witnesses and explainers**

This act makes permanent the ability to have one or both witnesses to a principal's signing of an advance directive be remote if certain conditions are met; remote witnessing had previously been authorized only through March 31, 2024.

A remote witness may witness the principal's signing through live, interactive, audio-video connection or by telephone. The act also makes permanent the ability to have a remote explanation from the neutral individual who must explain the nature and effect of an advance directive to a principal who is in or is being admitted to a hospital or long-term care facility; that individual may explain through live, interactive, audio-video connection or by telephone. The act provides additional in-person and remote witnessing provisions for execution of a so-called "Ulysses clause" in an advance directive. A Ulysses clause is an optional provision, already allowed under Vermont law, through which a principal can allow a specifically named agent to authorize or withhold health care over the principal's objection in the event that the principal lacks capacity. The act also includes transitional provisions related to the previous statutory authority for remote witnesses and explainers and allows all of the parties involved in the execution of an advance directive to use a digital signature.

Effective Date: April 1, 2024

**Act No. 89 (S.190). An act relating to statements made by a child victim of an offense involving serious bodily injury**

**Subjects: Criminal procedure; hearsay; depositions**

This act amends the court rules, limiting the number of times a child must recount the child's experience of physical abuse that resulted in seriously bodily injury. The act applies existing rules regarding depositions of children under 16 years of age if they are victims of certain sexual offenses to children under 16 years of age if they are victims in a case of cruelty to a child involving serious bodily injury. Similarly, the rule permitting admissibility of hearsay statements by a child 12 years of age or under if the child is the putative victim of a sexual offense is extended to hearsay statements by a child 12 years of age or under if the child is the putative victim of cruelty to a child involving serious bodily injury.

Effective Date: July 1, 2024

**Act No. 90 (S.278). An act relating to prohibiting a comparative negligence defense in an action for a negligence claim relating to a sexual act or sexual conduct**

**Subjects: Court procedure; pleading and practice; comparative negligence**

This act amends Vermont law with respect to negligence claims, the defenses that can be used, and the apportionment of responsibility for the injury. The act provides that in negligence cases in which the defendant breached a duty to the plaintiff and that breach relates to a sexual act or sexual conduct, contributory and

comparative negligence may not be used as a defense to the claim. This means that a victim of sexual abuse cannot be found responsible to any extent for the injuries that the victim sustained.

Effective Date: April 22, 2024

**Act No. 91 (H.543). An act relating to Vermont's adoption of the Social Work Licensure Compact and to emergency housing eligibility documentation**

**Subjects: Professions and occupations; health care; Social Work Licensure Compact; social work**

Sec. 1 of this act adopts the Social Work Licensure Compact. Sec. 2 of this act authorizes the Office of Professional Regulation to inquire into the criminal background histories of applicants for initial social work licensure and license renewal. Secs. 3 and 4 pertain to amending the emergency housing disability documentation in the fiscal year 2024 budget adjustment act to clarify that certification by a health care provider is required.

Effective Date: April 23, 2024

**Act No. 92 (H.363). An act relating to prohibiting discrimination based on certain hair types and styles**

**Subjects: Housing; labor; commerce and trade; fair employment practices; discrimination; public accommodations; hair**

This act prohibits discrimination based on traits associated with race, including hair type, hair texture, hairstyles, and protective hairstyles in employment and in places of public accommodation.

Effective Date: July 1, 2024

**Act No. 93 (H.603). An act relating to the poultry slaughter exception to inspection**

**Subjects: Agriculture; preparation of poultry products; exception to inspection**

This act repeals the requirement that poultry slaughtered under one of the three exceptions to slaughter inspection may only be sold as a whole bird from the farm, at a farmers' market, or to a food restaurant. Farmers would be allowed to sell the poultry parts of up to 1,000, 5,000, or 20,000 birds, depending on compliance with criteria for each level of inspection exception. In addition, the

act clarifies that poultry slaughtered under one of the slaughter exceptions may only be sold as a raw poultry product.

Effective Date: April 25, 2024

**Act No. 94 (H.621). An act relating to health insurance coverage for diagnostic breast imaging**

**Subjects: Health; health insurance; diagnostic imaging; breast imaging**

This act amends an existing health insurance coverage requirement for mammograms to also require health plans to cover other medically necessary breast imaging services upon recommendation of a health care provider as needed to detect the presence of breast cancer and other abnormalities of the breast or breast tissue. The act specifies that the plan must cover the full cost of the imaging service without any patient cost-sharing, except to the extent that such coverage would cause a high-deductible health plan to lose its eligibility for a health savings account under federal law.

Effective Date: January 1, 2026

**Act No. 95 (H.741). An act relating to health insurance coverage for colorectal cancer screening**

**Subjects: Health; health insurance; colorectal cancer screening**

This act modifies an existing requirement for health insurance coverage of colorectal cancer screening for individuals who are not at high risk for colorectal cancer to bring the coverage into alignment with U.S. Preventive Services Task Force recommendations; the act maintains the prohibition on health plans imposing any patient cost-sharing requirements. For high-risk individuals, the law continues to require plans to cover colorectal cancer screening examinations and laboratory tests as recommended by the treating clinician, also without imposing any patient cost-sharing requirements.

Effective Date: January 1, 2025

**Act No. 96 (H.666). An act relating to escrow deposit bonds**

**Subjects: Housing; finance; construction**

This act amends the statute requiring deposits on housing developments to remain in escrow to permit developers to use deposit funds for construction costs, *provided* the purchase agreement discloses such use, the developer obtains a

surety bond fully protecting any withdrawn deposit funds, and the developer provides the purchaser with a copy of the surety bond.

Effective Date: April 29, 2024

**Act No. 97 (S.109). An act relating to Medicaid coverage for doula services**

**Subjects: Medicaid; health; pregnancy; birth; doulas**

This act directs the Office of Professional Regulation to undertake a review of doulas in order to determine the appropriate form of regulation for the profession, with a report due to the committees of jurisdiction on or before January 8, 2025. The act also requires the Department of Vermont Health Access to develop a proposed methodology and determine the estimated costs if Vermont Medicaid were to reimburse doulas for providing childbirth education and support services to Medicaid beneficiaries during pregnancy, labor and delivery, and the postpartum period. The act directs the Department to report on its proposed reimbursement methodology and the estimated costs and to recommend whether doula services should be covered by Vermont Medicaid as part of the Department's fiscal year 2026 budget proposal.

Effective Date: May 6, 2024

**Act No. 98 (S.187). An act relating to student application of sunscreen**

**Subjects: Health; public health; child restraint systems; sunscreen use at school**

This act requires each public and approved independent school in the State to permit students, with the written authorization of a parent or guardian, to possess and self-administer a topical, nonaerosolized sunscreen while on school property or at a school-sponsored event or activity without being required to provide a medical provider's note or prescription or having to store the sunscreen in a specific location.

Effective Date: July 1, 2024

**Act No. 99 (S.199). An act relating to mergers and governance of communications union districts**

**Subjects: Governance; communications union districts; communications; business practices; mergers**

This act concerns the governance and business practices of communications union districts (CUDs). First, it allows CUDs to follow new merger procedures specific to them rather than the merger procedures that otherwise apply to merging municipalities under Title 24. The primary difference between the two procedures concerns voting. Under the new procedures, the governing board of each merging CUD may approve the merger, rather than a majority of the voters in each municipality within each of the merging districts. The preliminary plan of merger must be approved by three-quarters vote of a quorum of the board of each of the merging districts. The final merger plan must be approved by two-thirds vote of a quorum of the board of each of the merging districts.

Second, the act provides a CUD greater flexibility regarding when it must hold its annual organizational meeting. It allows the specific date to be established in the district's bylaws, rather than requiring it to be held on the second Tuesday in May, as currently specified in statute. In addition, a CUD has greater flexibility to define its fiscal year and to determine a date upon which its annual report must be approved. The act allows a district to address these items in its bylaws rather than follow the dates specified in statute.

Third, the act permits the treasurer to delegate the treasurer's statutory duties; however the act further specifies that the treasurer must "retain accountability and oversight authority" regarding any delegated duties.

Fourth, the act defines "confidential business information" with respect to a CUD for purposes of determining what information is exempt from disclosure under the Public Records Act and provides a presumption of confidentiality for such information. More specifically, "confidential business information" includes the operational records of any internet service provider under contract with a district for the construction of a broadband network or to provide broadband service, or both, as well as detailed information about the district's deployment plans if public disclosure could put the district at a competitive disadvantage. The act explicitly states that the exemption and presumption specified in act do not apply to district governance records and information.

Effective Date: May 6, 2024

**Act No. 100 (H.40). An act relating to nonconsensual removal of or tampering with a condom**

**Subjects: Sexual assault; nonconsensual removal of or tampering with a sexually protective device**

This act establishes a private civil right of action if a person intentionally and without consent removed or tampered with a condom prior to or during a sexual



act in a manner likely to render it ineffective when consent to the sexual act was given by the other person with the explicit understanding that a condom would be used. A person who is harmed may sue for compensatory damages, punitive damages, and reasonable costs and attorney's fees.

Effective Date: July 1, 2024

**Act No. 101 (H.664). An act relating to designating a State Mushroom**

**Subjects: General provisions; State Mushroom; State-designated symbols**

This act designates the bear's head tooth mushroom (*Hericium americanum*) as the State mushroom.

Effective Date: May 7, 2024

**Act No. 102 (H.694). An act relating to sexual exploitation**

**Subjects: Crimes and criminal procedure; sexual exploitation of a person under the supervision of the Department of Corrections; sexual exploitation of a minor**

This act amends three sexual exploitation statutes within Vermont's criminal sexual assault chapter, 13 V.S.A. chapter 72, to include both sexual acts defined in 13 V.S.A. § 3251 and sexual conduct defined in 13 V.S.A. § 2821. The statutes amended include:

1. sexual exploitation of a person under the supervision of the Department of Corrections;
2. sexual exploitation of a minor; and
3. sexual exploitation of a person who is being investigated, detained, arrested, or is in the custody of a law enforcement officer.

The act also directs the Vermont Sentencing Commission to review definitions in 13 V.S.A. chapters 59 (lewdness and prostitution), 64 (sexual exploitation of children), and 72 (sexual assault) for the purpose of updating and harmonizing the definitions as they are used in those chapters. As part of the review, the Commission shall, in particular, consider the definitions of "sexual conduct" as defined in 13 V.S.A. § 2821 and "sexual act" as defined in 13 V.S.A. § 3251. The Commission must report its recommendations for legislative consideration to the Senate and House Committees on Judiciary on or before December 1, 2024.

Effective Date: May 7, 2024

**Act No. 103 (H.27). An act relating to coercive controlling behavior and abuse prevention orders**

**Subjects: Domestic relations; abuse prevention**

This act amends the definition of abuse to include coercive controlling behavior for purposes of Vermont’s law regarding domestic relief from abuse orders. The change to the definition of abuse is only for purposes of civil protection orders and does not amend the definition of abuse relating to the crime of domestic assault. Coercive controlling behavior is defined as a pattern of behavior that in purpose or effect unreasonably interferes with a person’s free will and personal liberty. Coercive controlling behavior includes unreasonably engaging in any of the following:

- (1) isolating the family or household member from friends, relatives, or other sources of support;
- (2) depriving the family or household member of basic necessities;
- (3) controlling, regulating, or monitoring the family or household member’s movements, communications, daily behavior, finances, economic resources, or access to services;
- (4) compelling the family or household member by force, threat, or intimidation, including threats based on actual or suspected immigration status, to:
  - (A) engage in conduct from which such family or household member has a right to abstain; or
  - (B) abstain from conduct that such family or household member has a right to pursue;
- (5) committing or threatening to commit cruelty to animals that intimidates the family or household member; or
- (6) forced sex acts or threats of a sexual nature, including threatened acts of sexual conduct, threats based on a person’s sexuality, or threats to release sexual images.

Effective Date: July 1, 2024

**Act No. 104 (H.350). An act relating to the Uniform Directed Trust Act**

**Subjects: Trusts; Uniform Directed Trust Act**

This act enacts the Uniform Directed Trust Act in Vermont. In a directed trust, a person other than a trustee has a power over some aspect of the trust’s administration. The Uniform Directed Trust Act refers to this person as a “trust

director,” and the act provides clear and consistent statutory guidelines for the operation of trusts that include trust directors.

Effective Date: May 13, 2024

**Act No. 105 (H.606). An act relating to professional licensure and immigration status**

**Subjects: Executive; professional regulation; Secretary of State; immigration status**

This act allows any individual who meets the standards required by the State to obtain a professional license or certification under Titles 16, 20, or 26, regardless of that individual’s immigration status. As part of their application, individuals may provide a federal employer identification number, an individual taxpayer identification number, or a Social Security number; provided, however, that an applicant shall provide a Social Security number if a federal law or an interstate compact of which the State is a member requires that an applicant provide such. The General Assembly acts pursuant to the authority provided in section 411 of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104–193, Title IV, § 411, codified at 8 U.S.C. § 1621(d), as such section existed on January 1, 2024.

Effective Date: September 1, 2024

**Act No. 106 (H.629). An act relating to changes to property tax abatement and tax sales**

**Subjects: Taxation; property taxes; municipal tax abatement; tax collection; tax sales**

This act makes changes to the process used by municipalities to abate taxes, charges, interest, and fees, including how a board of abatement issues a decision and allows abatement for a group of individuals as a class.

The act also makes changes to the process used by municipalities to conduct a tax sale when a taxpayer is delinquent in paying property taxes, including requiring taxes to be delinquent for a period of one year and for the municipality to offer a reasonable repayment plan before a tax sale is initiated. Several new notice requirements were created to provide information about the process to delinquent taxpayers.

It further creates a working group to study issues relating to abatement and tax sales.

Effective Date: May 13, 2024

**Act No. 107 (H.649). An act relating to the Vermont Truth and Reconciliation Commission**

**Subjects: General provisions; Truth and Reconciliation Commission**

This act makes multiple amendments to the enabling law for the Vermont Truth and Reconciliation Commission to:

- delay the repeal of the enabling law from July 1, 2026, until May 1, 2027;
- extend the end date of the Commissioners' terms from July 1, 2026, until May 1, 2027;
- delay the due date for the final report of the Commission from June 15, 2026, to April 15, 2027;
- require the final report to include a bibliography, a summary of interviews utilized to prepare the report, and information regarding where the public can access the information and materials used to prepare the report;
- create a five-member Selection Panel with the authority to fill vacancies on the Commission and to remove or reprimand commissioners for incompetence, failure to discharge duties, malfeasance, illegal acts, or other actions the Selection Panel determines would substantially and materially harm credibility of the Commission or its ability to carry out its work;
- repeal the Commission's rulemaking authority;
- grant the Commission authority to establish support groups for individuals or communities who have experienced discrimination and provides privacy protections for participants in those groups; and
- permit the Commissioners to hold deliberative discussions outside of public meetings, provided that the Commission posts summaries of the discussions and does not use the discussions to take evidence, hear public comment or arguments, or make decisions.

Effective Date: May 13, 2024

**Act No. 108 (H.861). An act relating to reimbursement parity for health care services delivered in person, by telemedicine, and by audio-only telephone and extending time for flood abatement reimbursement**

**Subjects: Health; health insurance; telemedicine; audio-only telephone; reimbursement rates; flood abatement reimbursement**

This act requires health insurance plans to reimburse health care providers the same amounts for the same services, regardless of whether the services were provided through an in-person visit or by audio-only telephone. The act eliminates a 2026 sunset on reimbursement parity for services provided by telemedicine, so that health insurance plans will also continue to be required to reimburse providers the same amounts for the same services when provided through an in-person visit or by telemedicine. The result is that providers will be reimbursed by health insurance plans in the same amounts for the same services, regardless of the modality through which the services were provided.

The act also extends until November 15, 2024, the date by which a municipality must have abated education property taxes in order to be eligible to receive reimbursement from the State of the amount of education property tax payments owed for properties that were considered lost or destroyed as a result of certain 2023 flooding events.

Multiple effective dates, beginning on May 13, 2024

**Act No. 109 (H.884). An act relating to the modernization of governance for the St. Albans Cemetery Association**

**Subjects: Health; cemeteries; St. Albans Cemetery Association**

This act requires the incorporated St. Albans Cemetery Association to be governed in accordance with 18 V.S.A. chapter 121, notwithstanding the provisions of 1852 Acts and Resolves No. 108, or any other provisions of law to the contrary.

Effective Date: May 13, 2024

**Act No. 110 (H.659). An act relating to banking, insurance, and securities**

**Subjects: Insurance; captive insurance; banking; money transmission; virtual currency; securities**

This act addresses the regulation of the following subjects: captive insurance; securities; property and casualty insurance; insurance holding company systems;

pet insurance; and money services, including money transmission, check cashing, and currency exchange.

Sec. 1 pertains to sponsored captive insurance companies. It clarifies that a sponsored captive insurance company may insure only a participant's "controlled unaffiliated entity." This ensures there is some level of control between the participant and the unaffiliated entity. To further clarify, the amendment includes a definition of "controlled unaffiliated entity."

Sec. 2 enacts a new statute that explicitly allows any existing form of captive (e.g., an agency captive, an association captive, an industrial insured captive, etc.) to convert to a protected cell, which is insured by a sponsored captive insurance company. The conversion is subject to the Commissioner of Financial Regulation's approval. In addition, there are specific statutory provisions pertaining to the transfer of assets and liabilities.

Sec. 3 concerns an existing statute that allows captives to enter into parametric contracts for transferring risks. This provision was enacted in 2022 and it contains a definition of "parametric contract." That definition specifies that a parametric contract is not an insurance contract. Since then, however, it has become apparent that parametric contracts can be structured as insurance contracts. Accordingly, the proposal here deletes the existing definition of parametric contract.

Sec. 4 pertains to the minimum capital and surplus requirements of an agency captive insurance company. An agency captive insurance company is a reinsurance company controlled by an insurance agency or brokerage. The amendment reduces from \$500,000.00 to \$250,000.00 the minimum capital that an agency captive insurance company is required to maintain.

Sec. 5 pertains to the existing Captive Insurance Regulatory and Supervision Fund. This Fund provides the financial means for the Commissioner to administer captive insurance laws and regulations. Revenue for the Fund comes from a percentage of the premium tax collected from captive insurance companies. Last year, the General Assembly increased that percentage from 11 to 13 percent. However, a conforming change was not made to the specific provisions applicable to the Fund. The proposal here (striking "11 percent" and inserting in lieu thereof "13 percent") is therefore a conforming (not a substantive) amendment. The second amendment in Sec. 5 eliminates the reference to the reinsurer fee and thereby conforms with the Department of Financial Regulation's practice, which has been in place since 2010.

Sec. 6 pertains to an existing law that allows a captive insurance company to take credit for reinsurance. Under prior law, the Commissioner's approval was required if the reinsurance was written by an "alien captive insurance company

outside the United States.” The amendment strikes that specific approval provision.

Secs. 7–18, pertain to confidentiality provisions applicable to information obtained by the Department pursuant to its regulatory authority. The amendments primarily delete specific confidentiality provisions located in numerous places throughout the captive statutes and instead cross-reference general confidentiality provisions applicable to the Department.

Sec. 19 authorizes the Commissioner to impose enhanced civil penalties for securities law violations that involve a person who is a “vulnerable adult” as defined in Title 33.

Sec. 20 changes the name of the “Vermont Financial Services Education, Victim Restitution, and Whistleblower Award Special Fund” to the “Vermont Financial Services Education and Victim Restitution Special Fund.” In addition, it permits a portion of a settlement award from any Department enforcement action, not just securities settlements, to be deposited into the Fund.

Secs. 21–23 concern notices of insurance cancellation for nonpayment of premium. The amendments allow such notices to be by a first-class mail tracking method used or approved by the U.S. Postal Service, including Intelligent Mail barcode Tracing (IMb Tracing), and prohibit such notices from being delivered by a certified “bulk” mailing.

Secs. 24–27 pertain to insurance holding company systems. Specifically, the amendments bring the State into compliance with the National Association of Insurance Commissioners’ (NAIC’s) Holding Company Model Act and Regulations, which will likely be required for accreditation, effective on January 1, 2026. The Act as whole is intended to provide state insurance departments with a framework for insurance group supervision. The new provisions pertain to:

- Group capital calculation filing requirements, which provide solvency regulators with an additional analytical tool for conducting groupwide supervision and assist regulators in holistically understanding the financial condition of noninsurance entities. Specifically, the calculation provides financial information on the insurance group, quantifies risk across the insurance group, supports transparency into how capital is allocated, and aids in understanding whether and to what degree insurance companies are supporting the operations of noninsurance entities:
- Liquidity stress test reporting requirements, which will provide DFR with insights into macroprudential risk monitoring.
- Receivership provisions, which address the continuation of essential services through affiliated intercompany agreements in a receivership.

They bring affiliate service providers deemed “integral” or “essential” to an insurer’s operations under the jurisdiction of a rehabilitator, conservator, or liquidator for purposes of interpreting, enforcing, and overseeing the affiliate’s obligations under the service agreement.

Sec. 28 concerns pet insurance. It is based on an NAIC model law and establishes a new chapter under Title 8 pertaining specifically to pet insurance. The new regulatory framework addresses preexisting conditions, required disclosures, waiting periods, sales practices related to wellness programs, and insurance producer training.

Secs. 29–49 update Vermont’s money transmission services laws to, in part, conform with the model act endorsed by the Conference of State Bank Supervisors (CSBS). The model law is designed to provide greater consistency, stronger regulation, and reduced administrative burden for the rapidly growing and changing money transmission industry. Money transmitters are financial services companies that receive, hold, and/or send money for customers. Examples of money transmitters include payment processors such as Paypal and Venmo, payroll processing companies, and virtual currency related businesses. The industry has greatly expanded in recent years due to advances in fintech and the need for global payments. Some of the changes in the model act are relocations or restructuring of existing law. In addition, there are amendments to general provisions that apply to all licensed financial entities, not just money transmitters.

Of note, Sec. 48 establishes a new subchapter in 8 V.S.A. chapter 79 that creates a variety of specific requirements for companies that engage in virtual-currency business activity, including virtual currency exchanges, custodians, sellers of virtual currency, and certain virtual currency issuers. Subchapter 10 differs substantively from the model law provisions on virtual currency. The model law’s virtual currency provisions were offered as optional by CSBS rather than final recommendations and are primarily aimed at states not yet regulating companies engaged in the transmission of virtual currency. As the Department of Financial Regulation has been regulating these companies under the current statutes for over six years, the new laws contain changes to the model law language to better align with current Vermont policy and the remainder of the money transmitter requirements in 8 V.S.A. chapter 79. Included in these changes are a limited number of provisions establishing policies new to Vermont aimed at addressing specific issues regarding virtual currency companies that the Department has observed in its recent regulatory and enforcement efforts.

The specific provisions in 8 V.S.A. § 2575 concern property interests and entitlements to virtual currency and, in part, address some of the recent illegal transactions involving virtual currency. In particular, this statute:



- Requires that a business that holds custody or control of virtual currency on behalf of customers maintain custody and control of virtual currency in an identical type and amount sufficient to satisfy customer entitlements.
- Specifies that, when a customer deposits a particular virtual currency with a licensee, the licensee cannot satisfy their custodial obligations by holding virtual currency derivatives, digital depository receipts, or nonnative “wrapped” or “bridged” tokens (which often carry different security risks and liquidity profiles from native assets).
- Requires that title to all virtual currency be in the name of the customer and prohibits customer virtual currency from being subject to the liens or claims of a licensee’s creditors.
- Prohibits a licensee from pledging, hypothecating, lending, or otherwise using its customers’ virtual currency. Such practices led to the multi-billion-dollar bankruptcies of FTX, Celsius Network, Voyager Digital, BlockFi, Genesis, and others.
- Prohibits a licensee from using an unlicensed custodian to hold customer virtual currency to prevent the risky practice of entrusting customer virtual currency to unregulated entities.
- Gives the Commissioner the power to implement additional rules and requirements as may be necessary for consumer protection. Regulatory best practices, technology, and issues of concern are constantly evolving in the virtual currency industry. This authority is intended to allow the Commissioner to respond to and address emerging issues and threats to consumers.

8 V.S.A. § 2576 allows the Commissioner to establish limitations to, and the method by which, virtual currency and virtual currency-denominated assets can be included in the calculation of a company’s net worth. This provision is largely in response to the failures of FTX and Celsius Network, which purported to capitalize themselves with holdings of their own tokens and other speculative cryptocurrencies. In addition, the section duplicates the antifraud provisions of the securities laws and applies to any offer or sale of virtual currencies. The antifraud provisions prohibit a broad array of fraudulent practices that have long been prohibited in securities markets, including misstatements, insider trading, and market manipulation. Although the securities laws already apply to many virtual currencies, this provision allows the Department to take action against fraudsters without first litigating whether the virtual currency in question meets the definition of a “security” under the Vermont Securities Act. Finally, the section requires virtual currency businesses to comply with all applicable states and federal laws, including securities and commodities laws. A licensee that

breaches other laws and regulation applicable to the licensee's business will be in violation of this act and subject to suspension or revocation of the licensee's license and other enforcement actions.

8 V.S.A. § 2577 pertains specifically to virtual-currency kiosk operators and is intended to reduce the utility of virtual-currency kiosks to scammers and criminals. In particular, the new statute limits cash transactions at virtual-currency kiosks to \$1,000.00 per customer, per day, per licensee. It also caps the fees that virtual-currency kiosk operators may charge to \$5.00 or three percent of the transaction value, whichever is greater, and requires virtual-currency kiosk operators to disclose all fees and markups. Finally, the law imposes a one-year moratorium on new kiosks in the State and requires the Commissioner of Financial Regulation to report back to the General Assembly on or before January 15, 2025, on whether additional consumer protections are warranted.

Multiple effective dates, beginning on July 1, 2024

**Act No. 111 (H.766). An act relating to prior authorization and step therapy requirements, health insurance claims, and provider contracts**

**Subjects: Health; prescription drugs; health insurance; prior authorization requirements; step therapy; claims edits; cost-sharing collections**

This act amends provisions relating to health insurance plans that use step-therapy protocols in their prescription drug coverage and adds a new requirement that plans must grant timely exceptions to their step-therapy protocols under certain circumstances, including when the drug required under the protocol is likely to have adverse effects, to be ineffective, or is not in the patient's best interests, or if the patient is already stable on a different drug for the same condition. The act also requires plans to cover at least one readily available asthma controller medication from each class of medication and mode of administration, without requiring prior authorization.

The act amends provisions relating to how health plans and other payers pay health care claims by limiting the edit standards, processes, and guidelines that can be applied to claims for different types of services; by limiting payers' release of new edits to not more than quarterly and requiring the payers to file the edits with the Department of Financial Regulation (DFR) and provide advance notice of the edits to providers; and by restricting the circumstances under which payers can use prepayment coding validation edit review. The act revives a previous stakeholder working group to look at trends in coding and billing that payers want to address through claim editing; the working group will sunset on January 1, 2028. The act also imposes certain requirements on the content of and processes

for issuing and amending policies and manuals that plans use to supplement their contracts with providers, including requiring the plans to provide notice of a new or amended policy or manual to providers and give the providers an opportunity to object.

The act prohibits health plans from imposing prior authorization requirements on any admission, item, service, treatment, or procedure ordered by a primary care provider, except that the prohibition does not apply to prescription drugs or to anything that is provided out-of-network. The act reduces from 48 hours to 24 hours the amount of time a plan has to approve, deny, or ask for more information on an urgent prior authorization request. The act maintains the existing two business-day response requirement for nonurgent prior authorization requests but requires plans to acknowledge the request within 24 hours and to ask at that time for any additional information needed to decide on the request. The act specifies that a prior authorization approval must remain valid for the duration of the prescribed treatment, service, or medication or one year, whichever is longer, and, for a treatment, service, or course of medication that continues for more than one year, the plan cannot require renewal of prior authorization approval more often than once every five years. The act also requires a health plan to allow an insured who changes plans and is stable on a treatment, service, or course of medication approved under the prior plan to have coverage for that treatment, service, or course of medication without restriction for at least 90 days.

The act directs health insurers and health care providers to report to the General Assembly on or before January 15, 2027, on the impacts of implementation of the prior authorization provisions in the act. For insurers, the report must include the impacts on utilization of services, premium rates, and estimated avoided costs during plan years 2025 and 2026, including the costs of alternative services and hospital visits incurred by insureds as a result of the insurer's denials of their requests for prior authorizations. For health care providers, the report must include information gathered from providers on or before January 1, 2025, and on or before July 1, 2026, in order to evaluate providers' practices and circumstances both before and after the prior authorization provisions took effect.

Multiple effective dates, beginning on May 20, 2024

**Act No. 112 (H.247). An act relating to Vermont's adoption of the Occupational Therapy Licensure Compact**

**Subjects: Professions and occupations; Office of Professional Regulation; occupational therapists; Occupational Therapy Licensure Compact**

This act adopts the Occupational Therapy Licensure Compact in Vermont. The Compact allows occupational therapists and occupational therapy assistants who are licensed in another state to practice in Vermont through the Compact’s “privilege to practice” process if the occupational therapist or occupational therapy assistant is licensed in another Compact member state and pays the required fee. Participation in the Compact also allows Vermont-licensed occupational therapists and occupational therapy assistants to practice in other Compact member states through the “privilege to practice” process. The act also authorizes the Office of Professional Regulation to conduct background checks for occupational therapists and sets a \$50.00 biennial “privilege to practice” fee for occupational therapists and occupational therapy assistants who are already licensed in another Compact member state.

Effective Date: July 1, 2025

**Act No. 113 (H.883). An act relating to making appropriations for the support of government**

**Subjects: Appropriations; Big Bill; fiscal year 2025 budget**

This act is the budget bill. For more information, please see the website of the Joint Fiscal Office at: <https://ljfo.vermont.gov/subjects/appropriations-and-budget/fy-2025>

Multiple effective dates, beginning on July 1, 2023

**Act No. 114 (S.120). An act relating to postsecondary schools and sexual misconduct protections**

**Subjects: Education; postsecondary schools; Intercollegiate Sexual Harm Prevention Council**

This act adds several sections to the postsecondary schools subchapter in Title 16, chapter 3 regarding postsecondary school sexual misconduct protections, including the following:

- Sec. 1 of this act requires postsecondary schools to ensure students have access either on or off campus to confidential sexual misconduct support services that would be covered by applicable victim crisis worker privileges. It also requires postsecondary schools to maintain independently negotiated agreements with external providers if the external provider provides confidential support services for the postsecondary school beyond the services it would provide as a matter of course to the general public.

- Sec. 2 of this act requires postsecondary schools to create and adopt an amnesty policy that prohibits disciplinary action against a student reporting or otherwise participating in a school sexual misconduct resolution process for alleged ancillary policy violations related to the sexual misconduct incident at issue. This section does allow a postsecondary school to take disciplinary action if it determines that the conduct at issue placed or threatened to place the health and safety of another person at risk.
- Sec. 3 of this act requires postsecondary schools to offer annual trauma-informed, inclusive, and culturally relevant sexual misconduct primary prevention and awareness programming to all students, staff, and faculty. The training information is required to be made available on the school's website.
- Sec. 4 of this act repeals the July 1, 2025 sunset of the Intercollegiate Sexual Harm Prevention Council.
- Sec. 5 of this act redesignates section 2187, the Intercollegiate Sexual Harm Prevention Council, to section 183 in Title 16, chapter 3, with the rest of the postsecondary school sexual misconduct protection sections added in this act. This section also requires the Council to create or promote annual training opportunities addressing prevention and sexual assault response processes that are open to representatives from all Vermont postsecondary schools.

Effective Date: July 1, 2024

**Act No. 115 (S.189). An act relating to mental health response service guidelines and the safety of social service and home health providers**

**Subjects: Health; mental health; emergency response; protocol**

Sec. 1 directs the Department of Mental Health to develop guidelines for use by municipalities recommending the best practices for de-escalation and mental health response services, including crisis response services. It provides a list of entities with which the Department must consult in developing the required guidelines.

Sec. 2 requires the Agency of Human Services, in collaboration with the Vermont chapter of the National Association of Social Workers, to convene one or more meetings related to social service provider safety with community-based social service organizations and other stakeholders. The Agency shall present any findings and recommendations resulting from the meeting or meetings to the General Assembly on or before January 31, 2025.

Sec. 3 adds 33 V.S.A. § 6309, which authorizes a home health agency that previously discharged an individual to protect staff safety to deny a subsequent admission or to decline to send an employee on a visit if the individual who exhibited the behavior may be present at the home, where the behavior or conditions causing the discharge cannot be reasonably mitigated or eliminated. It further requires a home health agency to provide notice of any denial of admission made in accordance with the section, which shall include the reason for the denial and complaint instructions.

Sec. 4 requires the Department of Disabilities, Aging, and Independent Living, in consultation with home health agencies, to provide an update to the General Assembly by February 15, 2025 regarding the implementation of 33 V.S.A. § 6309, including the number of safety discharges made by home health agencies during the previous year and the number of individuals denied subsequent admission to or services from a home health agency due to a previous safety discharge.

Effective Date: July 1, 2024

**Act No. 116 (S.196). An act relating to the types of evidence permitted in weight of the evidence hearings**

**Subjects: Criminal procedure; crimes; bail; admissibility of evidence**

This act permits evidence to be submitted in weight of the evidence hearings to not conform to the rules of evidence. However, this act permitting nonconforming evidence does nothing to alter the existing standard applied to determine whether evidence of guilt is great.

Effective Date: July 1, 2024

**Act No. 117 (S.102). An act relating to expanding employment protections and collective bargaining rights**

**Subjects: Education; labor; executive; employment practices; fair employment practices; certification procedure; collective bargaining; employee speech**

This act prohibits employers from penalizing or threatening an employee because the employee declines to attend a meeting or participate in a communication that has the primary purpose of conveying the employer's opinion regarding a religious or political matter. This act also permits domestic workers who are employed in a household with five or more domestic employees to collectively bargain. This act also permits bargaining units subject to the State

Employees' Labor Relations Act, the Judiciary Employees' Labor Relations Act, the Teachers' Labor Relations Act, the Municipal Labor Relations Act, and the State Labor Relations Act to form a union without a secret ballot election if a majority of the employees in the bargaining unit sign a petition in support of forming the union. Finally, this act creates the Agricultural Worker Labor and Employment Laws Study Committee to study the labor and employment laws that apply to Vermont agricultural workers, to develop a proposal for legislation to permit Vermont agricultural workers to collectively bargain, and to identify additional potential changes to labor and employment laws in relation to agricultural workers.

Effective Date: July 1, 2024

**Act No. 118 (S.159). An act relating to the County and Regional Governance Study Committee**

**Subjects: Municipal and county government; structure of county governance**

This act tasks various entities with examining how to best strengthen county-level government in Vermont to enhance and optimize public safety, tax collection, and resource allocation.

Sec. 1 creates the legislator-composed County and Regional Governance Study Committee to address local government capacity challenges, enhance and optimize public safety, regional collaboration and planning, efficient, equitable, and transparent public resource allocation, and effective regional public services for individuals and municipalities.

Sec. 2 creates the nonlegislator County and Regional Governance Technical Advisory Group to analyze the subject matter being considered by the County and Regional Governance Study Committee and advise, assist, and provide recommendations to the Study Committee, specifically on the structure and organization of county and regional government.

Sec. 3 directs the Secretary of Administration to report to the County and Regional Governance Study Committee on federal funding opportunities resulting from the disaster declaration for the major flooding events of 2023 in the State and how Vermont's lack of robust county or regional governance has impacted the State receipt of federal emergency funding.

Effective Date: May 28, 2024

**Act No. 119 (S.183). An act relating to reenvisioning the Agency of Human Services**

**Subjects: Executive; Agency of Human Services**

This act directs the Agency of Human Services, in collaboration the commissioner of each department in the Agency and in consultation with relevant stakeholders, to consider options for reenvisioning the Agency. The act requires a status update to the General Assembly by February 1, 2025, with final recommendations due by November 1, 2025.

Effective Date: May 28, 2024

**Act No. 120 (S.209). An act relating to prohibiting unserialized firearms and unserialized firearms frames and receivers**

**Subjects: Firearms; criminal procedures; unserialized firearms, frames, and receivers**

This act prohibits the possession of firearms, frames and receivers of firearms, and unfinished frames and receivers unless the firearm, frame, or receiver has been imprinted with a serial number. The “frame or receiver” is that part of the firearm that houses or holds the weapon’s fire control components, such as the hammer, the bolt, and the trigger mechanism. An unfinished frame or receiver is a component that can be readily converted or completed into a firearm, frame, or receiver. The act establishes a process for persons to bring their firearms and components to a licensed firearms dealer and have a serial number printed on them. The serialization must be completed by February 28, 2025, after which it will be unlawful for a person to possess, transfer, or manufacture an unserialized firearm, an unserialized frame or receiver of a firearm, or an unserialized unfinished frame or receiver of a firearm.

The act prohibits the possession of a firearm or a dangerous or deadly weapon at a polling place, or on the walks leading to a building in which a polling place is located, on an election day. Possession is also prohibited in the town clerk’s office during any period when a board of civil authority has voted to permit early voting. A person who possesses a firearm at a polling place in violation of the law may be imprisoned not more than one year, which is the same penalty for unlawfully possessing a firearm at a school.

The act also requires the Vermont Crime Research Group to report data on prosecutions of unserialized firearm offenses to the Legislature and requires the Office of the Secretary of State to report to the Legislature on options for prohibiting firearms in municipal and State government buildings, including the Vermont State House.

Multiple effective dates, beginning on May 28, 2024



**Act No. 121 (S.213). An act relating to the regulation of wetlands, river corridor development, and dam safety**

**Subjects: Conservation and development; wetlands; dam safety; river corridors**

This act, entitled the Flood Safety Act, amends multiple provisions related to river corridors, flood hazard areas, wetlands, and dams. The act directs the Department of Environmental Conservation (DEC) to amend the State River Corridor Base Map by January 1, 2026, to identify areas suitable for development located in existing settlements in river corridors that will not contribute to fluvial erosion hazards. DEC is required to adopt rules addressing development in mapped river corridors. Beginning on January 1, 2028, a permit from DEC is required to commence or conduct development in a river corridor.

“Development” is defined as any man-made change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

The act requires the Agency of Natural Resources (ANR) to adopt rules to establish flood hazard area standards for enrollment in the National Flood Insurance Program (NFIP). On or after January 1, 2028, the State Flood Hazard Area Standards shall be the State’s minimum flood hazard area standards. A municipality with a flood hazard area bylaw is required to update the bylaw to conform to the State standards. The act also requires ANR to establish the Study Committee on State Administration of the National Flood Insurance Program to recommend how to reduce vulnerability to inundation flooding, including whether and how to shift administration and NFIP enforcement from towns to DEC. The Study Committee shall report its findings to the General Assembly on or before August 15, 2025.

The act provides that it is the policy of the State to protect, regulate, and restore wetlands so that the State achieves a net gain of wetlands acreage. The act requires ANR to update the Vermont Significant Wetlands Inventory (VSWI) maps on or before January 1, 2026, and not less than annually thereafter. Similarly, on or before January 1, 2030, the act requires ANR to complete High Quality Wetlands Inventory Plus mapping for all tactical basins in the State.

In addition, the act requires ANR on or before July 1, 2025, to amend the Vermont Wetlands Rules to provide that the goal of wetlands regulation in the State is the net gain of wetlands to be achieved through protection of existing wetlands and restoration of previously affected wetlands. Where a permitted activity in a wetland will cause more than 5,000 square feet of adverse effects that

cannot be avoided, ANR shall require a permit applicant to restore, enhance, or create wetlands or buffers to compensate for the adverse effects on a wetland. The amount of wetlands to be restored, enhanced, or created shall be calculated by determining the acreage or square footage of wetlands permanently drained or filled as a result of the permitted activity and multiplying that acreage or square footage by two, to result in ratio of 2:1 restoration to wetland loss.

The act transfers from the Public Utility Commission to DEC jurisdiction over the safety of 21 electric generating dams. The PUC will retain authority over any activities at the 21 dams that require authorization relating to electric generation. The act also amends the existing Unsafe Dam Revolving Loan Fund to be the Dam Safety Revolving Loan Fund. The revised fund will provide financial assistance for emergency and nonemergency projects. In addition, the act establishes the Study Committee on Dam Emergency Operations Planning to recommend how to improve regional emergency action planning for hazards from dam failure, including how to shift responsibility for emergency planning from municipalities to regional authorities and how to fund dam emergency action planning at the regional level. The Study Committee shall report to the General Assembly on or before December 15, 2024.

The act also bans the sale of dock floats, mooring buoys, or anchor or navigation markers made, in whole or in part, from expanded polystyrene foam that is not wholly encapsulated or encased within a more durable material or open-cell (beaded) polystyrene, including materials that are encapsulated and unencapsulated. The act also prohibits the use of unencapsulated polystyrene or open-cell (beaded) polystyrene for the installation or repair of a new buoy, dock, or floating structure on the waters of the State. The act also requires ANR and the Natural Resources Board to separately report on how and whether to establish criteria for waiving, reducing, or mitigating Act 250 permit fees for persons of low income or other criteria.

Multiple effective dates, beginning on May 30, 2024

**Act No. 122 (S.259). An act relating to climate change cost recovery**

**Subjects: Conservation and development; Judiciary; liability; greenhouse gas emissions**

This act establishes the Climate Superfund Cost Recovery Program at the Agency of Natural Resources (ANR). The purpose of the Program is to hold parties responsible for covered greenhouse gas emissions between the covered period of January 1, 1995 and December 31, 2024 for the entity's share of the State's costs due to climate change. Responsible parties are defined as fossil fuel

extractors or crude oil refiners that ANR attributes one billion metric tons or more of covered greenhouse gases during the covered period. Responsible parties are strictly liable for cost recovery payments to the State. An entity's cost recovery payments shall be the same ratio or share of the costs to the State from the emissions of covered greenhouse gas emissions as the entity's ratio or share of the aggregate covered greenhouse gas emissions from fossil fuels during the covered period. The act requires the State Treasurer to conduct an assessment of the costs to the State and its residents of the emissions of covered greenhouse gases during the covered period.

The act establishes an ANR-administered Climate Superfund Cost Recovery Program Fund into which the cost recovery payments from responsible entities are deposited. The Fund shall be used to pay for climate change adaptation projects identified by ANR under a Resilience Implementation Strategy adopted by rule, reasonable administrative expenses of the Program, costs to implement climate adaptation action under the State Hazard Mitigation Plan, and implementation of the Community Resilience and Disaster Mitigation Grant Program.

Multiple effective dates, beginning on July 1, 2024

**Act No. 123 (S.246). An act relating to amending the Vermont basic needs budget and livable wage**

**Subjects: Legislature; Joint Fiscal Office; livable wage; basic needs budget**

This act updates the statute governing the biennial Vermont basic needs budget and livable wage report to require the livable wage to be determined for both urban and rural areas and to require basic needs budgets to be determined based on the methodology described in the report of the 2023 Basic Needs Budget Technical Advisory Committee.

Effective Date: July 1, 2024

**Act No. 124 (H.872). An act relating to miscellaneous updates to the powers of the Vermont Criminal Justice Council and the duties of law enforcement officers**

**Subjects: Internal security and public safety; Vermont Criminal Justice Council; unprofessional conduct**

This act makes miscellaneous updates to the powers of the Vermont Criminal Justice Council and the duties of law enforcement officers.

Specifically, this act modifies what constitutes Category B Conduct, replacing the various enumerated subcategories of misconduct with a statewide policy named the “Law Enforcement Officers’ Code of Conduct” (“Code”). The Vermont Criminal Justice Council shall, by December 31, 2024, create the Code by rule in accordance with the Vermont Administrative Procedure Act (3 V.S.A. chapter 25), although the Code’s parameters and content are dictated by statute (20 V.S.A. § 2371). The Code will apply to each law enforcement officer in the State, and compliance with the Code is a condition for obtaining and maintaining law enforcement certification. The Code, pursuant to 20 V.S.A. § 2371, shall prohibit “Category A” criminal conduct, untruthfulness, misuse of official position, discrimination and biased enforcement, unlawful use of force while on duty or under the authority of the State, and domestic violence while on duty or off duty.

The act also amends 20 V.S.A. § 2407 (limitation on Council sanctions) so that the Vermont Criminal Justice Council may sanction a law enforcement officer for a first violation of the Code (Category B conduct) only to the extent the sanction does not surpass any disciplinary action taken by the law enforcement agency for the same alleged conduct. The Council, however, may impose a greater sanction if: (1) the law enforcement officer is terminated for the same alleged conduct or resigns; (2) the alleged conduct is committed by a law enforcement agency’s executive officer; (3) pursuant to 20 V.S.A. § 2408, the law enforcement agency fails to conduct a valid investigation of the alleged conduct; or (4) the disciplinary action taken against the law enforcement officer by the law enforcement agency is clearly unreasonable.

Multiple effective dates, beginning on May 29, 2024

**Act No. 125 (S.58). An act relating to public safety**

**Subjects: Juvenile proceedings; regulated drugs**

This act modifies the list of “Big 12” offenses that are generally required to begin in the Criminal Division when committed by a juvenile, extends the implementation date for the Raise the Age juvenile justice initiative, and makes a number of changes regarding dispensing and sale of regulated drugs.

The act makes several changes to the statutory list of “Big 12” offenses, which are the offenses that must generally begin in the Criminal Division when committed by a juvenile, unless the State’s Attorney direct files the case as a youthful offender proceeding in the Family Division. The adds several new offenses to the Big 12, specifically using a firearm while committing a felony, human trafficking, and aggravated stalking. However, these three offenses will

only begin in the Criminal Division if the person is 16 years of age or older, so if the offender is younger than 16 years of age, then the case will continue to begin in the Family Division. The act also removes burglary into an occupied dwelling from the Big 12.

The act extends the implementation date for the Raise the Age juvenile justice initiative from July 1, 2024, to April 1, 2025. This program, which has been ongoing for several years, increases the age at which children who engage in criminal conduct are charged as juveniles in the Family Division rather than as adults in the Criminal Division. The act also requires the Department for Children and Families to provide the Legislature with bi-monthly status reports on the program's implementation

The act criminalizes the unauthorized dispensing or sale of xylazine a criminal offense. Exceptions are made for the lawful use in veterinary medicine.

For crimes related to the dispensing or sale of fentanyl, xylazine, depressants, stimulants, and narcotics only, the definition of “knowingly” means:

(A) the defendant had actual knowledge that one or more preparations, compounds, mixtures, or substances contained the regulated drug; or

(B) the defendant:

(i) was aware that there is a high probability that one or more preparations, compounds, mixtures, or substances contained the regulated drug; and

(ii) took deliberate actions to avoid learning that one or more preparations, compounds, mixtures, or substances contained the regulated drug.

With respect to the crime of dispensing or selling a regulated drug with death resulting, the act prohibits using as a defense the fact that the substance dispensed or sold contains more than one regulated drug if the proximate cause of death is the use of the substance. The act also requires the two-year minimum term of imprisonment to be served and may not be suspended, deferred, or served as a supervised sentence. However, the court may impose a sentence that does not include a term of imprisonment or that includes a term of imprisonment of less than two years if the court makes findings on the record that the sentence will serve the interests of justice.

The act also requires that a person cited or arrested for dispensing or selling a regulated drug be arraigned on the next business day after the citation or arrest if the alleged illegal activity occurred at a dwelling where the person is not a legal tenant.

The act requires the Vermont Sentencing Commission to make a recommendation to the General Assembly not later than October 15, 2024,

whether in 18 V.S.A. § 4250, selling or dispensing with death resulting, there should be a permissive inference that the proximate cause of death is the person's use of the regulated drug if the regulated drug contains fentanyl.

Finally, the act directs the Department of Health, in partnership with entities that provide education, outreach, and services regarding substance use disorder, to engage in continuous efforts to publicize the immunity protections in 18 V.S.A. § 4254 to encourage persons to seek medical assistance for someone who is experiencing an overdose.

Multiple effective dates, beginning on July 1, 2024

**Act No. 126 (S.114). An act relating to the establishment of the Psychedelic Therapy Advisory Working Group**

**Subjects: Crimes; regulated drugs; psychedelics**

This act creates the Psychedelic Therapy Advisory Working Group for the purpose of reviewing existing research on the cost-benefit profile of the use of psychedelics to improve mental health and to make findings and recommendations regarding the advisability of the establishment of a State program to permit health care providers to administer psychedelics in a therapeutic setting and the impact on public health of allowing individuals to legally access psychedelics under State law.

The Working Group is required to submit a written report, on or before November 15, 2024, to the House and Senate Committees on Judiciary, the House Committee on Health Care, the House Committee on Human Services, and the Senate Committee on Health and Welfare with its findings and any recommendations for legislative action. The Working Group will have the assistance of the Vermont Department of Mental Health, in collaboration with the Vermont Psychological Association, for purposes of scheduling and staffing meetings and developing and submitting the report.

Effective Date: July 1, 2024

**Act No. 127 (H.233). An act relating to licensure and regulation of pharmacy benefit managers**

**Subjects: Health; prescription drugs; health insurance; pharmacies; pharmacy benefit managers**

This act creates a new chapter on pharmacy benefit managers (PBMs) that establishes standards and criteria for licensure and regulation of PBMs. It

consolidates existing PBM-related provisions into the new chapter, creates a PBM licensure requirement, and authorizes the Department of Financial Regulation to regulate PBMs. The act establishes fees for PBM licensure and prohibits PBMs from using “spread pricing,” in which a PBM charges more to an insurer or other payer for a prescription drug than the PBM reimburses the pharmacy for dispensing the drug and the PBM keeps the difference. The act requires PBMs and health insurers to attribute all amounts paid by or on behalf of a patient for a prescription drug, including coupons and discounts, toward the patient’s deductible and out-of-pocket limits, except that third-party payments do not have to be counted if there is a generic version of the drug and there is not a specific reason why the patient needs to use the brand-name version of the drug.

The act adds PBMs to an existing law prohibiting misleading or deceptive health insurance marketing and advertising. The act prohibits health insurers and PBMs from attempting to regulate prescription drugs, pharmacies, or pharmacists in a manner that is more restrictive than or inconsistent with State or federal law or Vermont Board of Pharmacy rules. The act prohibits PBMs and pharmacies from directly contacting a patient without the patient’s consent for the purpose of marketing the pharmacy’s services, except under certain circumstances. The act also prohibits an insurer or PBM from changing a patient’s prescription drug order or choice of pharmacy without the patient’s consent but specifies that this prohibition does not affect Vermont’s generic substitution law, which requires pharmacists to substitute a lower-cost generic drug in most instances when a brand-name drug is prescribed.

The act repeals existing PBM laws on July 1, 2029, and specifies that, to the extent that existing PBM laws and the act’s PBM provisions conflict, the act’s provisions will control. The act also sets forth additional implementation provision, creates three new positions at the Department of Financial Regulation to regulate PBMs, and appropriates \$405,000.00 to the Department from its Insurance Regulatory and Supervision Fund in fiscal year 2025 for PBM regulation. And the act directs the Department to report to the General Assembly on or before January 15, 2025 whether the Department recommends creating a private right of action to enforce the new PBM chapter.

Effective Date: July 1, 2024

**Act No. 128 (H.534). An act relating to retail theft**

**Subjects: Crimes; retail theft**

This act modifies the penalties for the crime of retail theft. If the amount of merchandise stolen is \$250.00 or less, the offender may be imprisoned for not

more than 30 days. If the amount of merchandise stolen is greater than \$250.00 but not more than \$900.00, the offender may be imprisoned for not more than six months for a first offense, not more than two years for a second offense, not more than three years for a third offense, or not more than 10 years for a fourth or subsequent offense. If the amount of merchandise stolen is greater than \$900.00, the offender may be imprisoned for not more than 10 years.

Effective Date: July 1, 2024

**Act No. 129 (H.563). An act relating to unlawful trespass in a motor vehicle and unauthorized operation of a motor vehicle without the owner's consent**

**Subjects: Crimes and criminal procedure; unlawful trespass; operation of a motor vehicle without owner's consent**

This act creates two new offenses: unlawful trespass into a motor vehicle and operation without the owner's consent when the person should have known they did not have the owner's consent.

Sec. 1 of the act amends 13 V.S.A. § 3705 to establish a three-month/\$500.00 fine misdemeanor for entering a motor vehicle of another and when the person knows that the person does not have legal authority or the consent of the person in lawful possession of the motor vehicle to do so.

Sec. 2 of the act amends the joyride provision of 23 V.S.A. § 1094, leaving the current two-year misdemeanor for knowingly committing the offense and adding a lesser offense if the person should have known they did not have consent of the owner. This lesser offense would be a crime subject to a fine of not more than \$500.00.

Effective Date: July 1, 2024

**Act No. 130 (H.585). An act relating to amending the pension system for sheriffs and certain deputy sheriffs**

**Subjects: Executive; Vermont State Employees' Retirement System; county sheriff pension plan; sheriff compensation; state's attorneys report**

This act amends the Vermont State Employees' Retirement System to place eligible sheriffs and deputy sheriffs who start on or after January 1, 2025, into the Group G retirement system. It also creates a one-time irrevocable opportunity for currently employed and otherwise eligible sheriffs and deputy sheriffs to opt into the Group G retirement system. This act sets the normal retirement date for



sheriffs and deputy sheriffs in the Group G system based upon the day they were first included as members in the retirement system.

This act updates the salaries of sheriffs in statute pursuant to the Pay Act and sets forth a percentage reduction in pay for sheriffs without certain levels of law enforcement certification.

This act also requires the Department of State's Attorneys and Sheriffs to analyze and report back to the General Assembly on various issues related to the attorney license status, job duties, and compensation of State's Attorneys.

Effective Date: July 1, 2024

**Act No. 131 (S.25). An act relating to regulating consumer products containing perfluoroalkyl and polyfluoroalkyl substances or other chemicals**

**Subjects: Health; public health; chemicals; PFAS; cosmetic products; artificial turf; menstrual products; textiles; juvenile products; cookware**

Sec. 1 establishes a new subchapter in 9 V.S.A. chapter 63 that prohibits a manufacturer from selling, offering for sale, distributing for sale, or distributing for use in this State any cosmetic or menstrual product containing certain chemicals or chemical classes, including perfluoroalkyl and polyfluoroalkyl substances (PFAS). It prohibits a manufacturer from knowingly selling, offering for sale, distributing for sale, or distributing for use in this State any cosmetic or menstrual product containing 1,4, dioxane at or exceeding 10 ppm and authorizes the Department of Health to adopt rules prohibiting a manufacturer from selling, offering for sale, distributing for sale, or distributing for use in this State any cosmetic or menstrual product containing intentionally added formaldehyde-releasing agents.

Sec. 2 adds three additional regulated chemicals to those listed in Sec. 1 of the act, effective July 1, 2027. It further prohibits a manufacturer from knowingly selling, offering for sale, distributing for sale, or distributing for use in this State any cosmetic or menstrual product containing lead or lead compounds at or exceeding 10 ppm.

Sec. 3 establishes a new subchapter in 9 V.S.A. chapter 63 regulating the sale and distribution of various consumer products containing PFAS. Several of the consumer products regulated under the new subchapter were historically regulated under existing State law and this act recodifies those provisions from Title 18 to Title 9 (e.g., rugs, carpets, aftermarket stain and water resistant treatment, and ski wax). This section imposes restrictions on the sale and distribution of previously unregulated consumer products containing PFAS, including artificial turf, incontinency products, juvenile products, cookware, and textiles.

Sec. 4 amends the definition of “apparel” to include “outdoor apparel for severe wet conditions” in 9 V.S.A. § 2494e(2), effective July 1, 2028. Sec. 5 amends the definition of “regulated PFAS” in 9 V.S.A. § 2494e(15) to replace “100” ppm with “50” ppm, effective July 1, 2027.

Sec. 6 recodifies in Title 9, with some modifications, statutes pertaining to PFAS in firefighting agents and equipment. Similarly, Sec. 7 recodifies in Title 9, with some modifications, statutes pertaining to chemicals of concern in food packaging.

Sec. 8 directs the Department of Health to submit a community engagement plan to the General Assembly related to the regulation of chemicals in cosmetic and menstrual products. The plan must provide education to the general public and address the unique impact of regulated products in marginalized communities by providing use of language access services, participant compensation, and other resources supporting equitable opportunities for participation. The plan must also outline the methodology and costs to conduct outreach for the purposes of identifying cosmetics of concern, including those marketed to or utilized by marginalized communities; conduct research on the prevalence of harmful ingredients within cosmetic products; and create culturally appropriate public health awareness campaigns.

Sec. 9 directs the Agency of Natural Resources to propose a program requiring the State to identify and restrict the sale and distribution of consumer products containing PFAS that could impact public health and the environment. Specifically, the proposed program shall include a process by which manufacturers determine whether a consumer product contains PFAS and how that information is communicated to the State; address how information about the presence or lack of PFAS in a consumer product is conveyed to the public; describe which State entity is responsible for administration of the proposed program; propose a public service announcement and website content about the public health risk of PFAS exposure; and provide recommendations for the regulation of PFAS within consumer products that use recycled materials.

Sec. 10 repeals various provisions from Title 18 on the date on which similar provisions are enacted in Title 9.

Sec. 11 specifies that if, upon a manufacturer's showing, the Office of the Attorney General (AGO) determines that it is not feasible to produce a particular consumer product regulated in this act by the relevant effective date, the Attorney General may postpone the compliance date for up to one year. If the Attorney General postpones a compliance date, the AGO shall post notification of the postponement on its website.

Sec. 12 directs the Department of Health to observe and evaluate Washington's experience of implementing a one part per million limit on the presence of lead in cosmetic products and present the Department's findings to the relevant standing committees of the General Assembly.

Multiple effective dates, beginning on July 1, 2024

**Act No. 132 (S.30). An act relating to creating a Sister State Program**

**Subjects: Commerce and trade; sister state program**

This act creates a working group for the purpose of determining the administration, oversight, scope, and objectives of a Vermont Sister State Program. The working group will provide a report on or before November 1, 2025, that will include recommendations to the General Assembly on legislation creating the Vermont Sister State Program.

Effective Date: July 1, 2024

**Act No. 133 (S.55). An act relating to updating Vermont's Open Meeting Law**

**Subjects: Open Meeting Law; general provisions; general rights; electronic meetings**

This act amends the Open Meeting Law (1 V.S.A. §§ 310–314) to authorize some public bodies to meet through electronic means without designating a physical meeting location.

Sec. 1 states the legislative intent of the act.

Sec. 2 amends 1 V.S.A. § 310 (definitions), adding the terms “advisory body,” “hybrid meeting,” and “undue hardship.”

Sec. 3 amends 1 V.S.A. § 312 (right to attend meetings of public agencies) to distinguish types of public bodies and what their duties are under the Open Meeting Law. This section establishes duties for State nonadvisory public bodies, State advisory public bodies, local nonadvisory public bodies, and local advisory public bodies.

- State nonadvisory public bodies must hold all regular and special meetings in a hybrid fashion, which shall include both a designated physical meeting location and a designated electronic meeting platform. These meetings must be electronically recorded, and the recording must be retained and posted in a designated electronic location for a minimum of 30 days following the approval and posting of the official minutes for a meeting.
- Local nonadvisory public bodies may hold all regular and special meetings entirely in person or in a hybrid fashion. These bodies shall record their meetings in audio or video form and post the recording in a designated electronic location for a minimum of 30 days following the approval and posting of the official minutes for a meeting, unless recording the meeting so would impose an undue hardship on the municipality.
- State advisory bodies may hold all regular and special meetings entirely in person, in a hybrid fashion, or entirely by electronic or other means without being physically present at or staffing a designated meeting location.
- Local advisory bodies may hold all regular and special meetings entirely in person, in a hybrid fashion, or entirely by electronic or other means without being physically present at or staffing a designated meeting location.

This section also enables residents and the press to request that a public body designate a physical meeting location or provide electronic or telephonic access to a regular meeting, but not to a series of regular meetings, special meetings, emergency meetings, or field visits. The public body shall grant the request unless there is an all-hazards event, a local incident, or if compliance would impose an undue hardship on the municipality.

Sec. 4 exempts, until January 1, 2025, State nonadvisory public bodies and communications union districts from having to designate a physical meeting location for regular and special meetings or hold regular and special meetings in a hybrid fashion.

Sec. 5 adds 1 V.S.A. § 312(k) to require annual training for certain officers on the Open Meetings Law, specifically the chair of any State nonadvisory public and the town manager, mayor, and the chair of the legislative body of a political subdivision. The Secretary of State shall develop and make available this training. This section shall take effect on January 1, 2025, six months after the rest of the bill.

Sec. 6 amends 1 V.S.A. § 312a (meetings of public bodies; state of emergency) to permit a public body to switch from a designated physical location to an electronic meeting platform and from an electronic meeting platform to a designated physical location if there is a “local incident,” meaning: a weather

event, loss of power or telecommunication services, public health emergency, public safety threat, death threats, or other event that directly impedes the ability of a public body to hold a meeting electronically or in a designated physical location.

Sec. 7 amends 1 V.S.A. § 314 (penalty and enforcement) to require municipalities to post on their website—if a website exists—an explanation of the procedures for submitting a complaint regarding an Open Meeting Law violation to the public body or the Attorney General.

Sec. 8 amends 17 V.S.A. § 2640 (annual meetings) to require that any informational meeting held in the three days preceding the first Tuesday in March shall be video recorded and that a copy of the recording shall be posted in a designated electronic location within 24 hours until the results of the annual meeting have been certified.

Sec. 9 amends 17 V.S.A. § 2680 (Australian ballot system; general) to require that a municipality's informational hearing for a public question be held within the 30 days preceding an election using an Australian ballot system, and that such a hearing be video recorded and posted in a designated electronic location until the results of the election have been certified.

Sec. 10 creates the Working Group on Participation and Accessibility of Municipal Public Meetings and Elections to study and make recommendations to improve the accessibility of and participation in meetings of local public bodies, annual municipal meetings, and local elections, and to increase transparency, accountability, and trust in government.

Multiple effective dates, beginning on July 1, 2024

**Act No. 134 (S.98). An act relating to Green Mountain Care Board authority over prescription drug costs and the Green Mountain Care Board nomination and appointment process**

**Subjects: Health; prescription drugs; Green Mountain Care Board**

This act directs the Green Mountain Care Board (GMCB), in consultation with others, to explore and create a framework and methodology for implementing a program to regulate prescription drug costs in Vermont. The GMCB's preliminary plan is due to the General Assembly on or before January 1, 2025, with a final plan due on or before January 1, 2026. The act creates two new positions at the GMCB to lead the exploration, development, and implementation of the prescription drug regulation program and adds the GMCB's prescription drug cost regulation initiatives as allowable uses of monies in the Evidence-Based Education and Advertising Fund. The act appropriates \$245,000 from that Fund

for the new positions and an additional \$250,000 from the Fund for contracts with experts on prescription drug-related issues to help the GMCB with its work.

The act also amends several provisions relating to the nomination, appointment, and reappointment of members of the GMCB, including allowing the Governor to reappoint members to additional terms without carrying out the full nomination and appointment process and establishing timelines and processes for the nomination and appointment processes when a Board member is resigning early or does not want to be reappointed, or when the Governor does not want to reappoint a member whose term is expiring.

Multiple effective dates, beginning on May 30, 2024

**Act No. 135 (S.184). An act relating to the temporary use of automated traffic law enforcement (ATLE) systems**

**Subjects: Motor vehicles; traffic violations; traffic cameras; traffic enforcement; moving violations; automated law enforcement; automated license plate recognition systems; automated traffic law enforcement systems**

This act proposes to improve work crew safety and reduce traffic crashes in limited-access highway work zones by establishing an automated traffic law enforcement (ATLE) pilot program that uses radar and cameras to enforce speeding violations against the registered owner of the violating motor vehicle by capturing the rear registration number plate in a recorded image.

Specifically, this act creates a 15-month pilot program wherein the Agency of Transportation (VTrans) contracts with a vendor for the deployment, operation, and maintenance of the ATLE system in highway work zones. The ATLE system only activates when workers are present, when a vehicle exceeds 10 miles per hour over the speed limit, and when there is a sign indicating that the system is currently in operation. The locations are selected by VTrans and will be indicated by at least two signs notifying members of the traveling public before entering the ATLE location and a sign upon leaving the location. The vendor is responsible for maintaining the database on a confidential basis. The data collected cannot be used for any purpose other than enforcing speeding violations.

Registered owners of motor vehicles that exceed 10 miles per hour over the speed limit within the ATLE locations are liable for violations. Law enforcement reviews database images and sends out an attested civil violation complaint to the owner by U.S. mail. The owner is fined \$0.00 for a first violation within 12 months; \$80.00 for a second violation within 12 months, provided notice of the first violation was mailed at least 30 days prior to the violation; and \$160.00 for a

third or subsequent violation within 12 months. All violations are within the jurisdiction of the Judicial Bureau.

An implementation and outreach campaign shall occur before the ATLE system operates between July 1, 2025, and October 1, 2026. The outreach campaign shall be implemented not later than April 1, 2025, to educate the public on the pilot program. Moreover, the pilot program is contingent on the receipt of federal funding. Thus, if federal funding is not received, the ATLE pilot program will be repealed.

Multiple effective dates, beginning on May 30, 2024

**Act No. 136 (S.191). An act relating to New American educational grant opportunities**

**Subjects: Education; VSAC; advancement grant; residency requirement**

Sec. 1 of this act amends 16 V.S.A. § 2846 to add an exception regarding the one-year residency eligibility requirement for certain Advancement Grant applicants. Advancement Grants are administered through the Vermont Student Assistance Corporation (VSAC) and are for Vermonters pursuing nondegree education and training opportunities who have been residents of Vermont for one year. This act exempts Vermonters with certain immigration statuses from the one-year residency requirement, but still requires applicants to meet all other eligibility requirements in order to qualify for the grant.

Sec. 2 of this act creates a similar 3-year exception for the incentive grant program, which is administered through VSAC and is for Vermonters who need financial assistance and are pursuing undergraduate studies with the promise of completing a degree program. This section allows persons with certain immigration statuses (the same group of people who would qualify for the advancement grant residency exception under Sec. 1 of this act) to not be ineligible for the Vermont incentive grant program based on residency status. This language would still require applicants to meet all other eligibility requirements. This section is repealed on July 1, 2027.

Sec. 3 of this act adds section 2828 to Title 16, which establishes that a Vermont resident who is otherwise eligible for a State-funded financial aid program administered by VSAC shall not be ineligible solely on the basis of such resident's immigration status. It also requires VSAC to establish procedures and forms accordingly.

Sec. 4 of this act amends 16 V.S.A. § 2185 to prevent the Board of Trustees of the Vermont State Colleges Corporation from adopting in-state tuition policies that would discriminate against or exclude a person based solely on the person's

immigration status, or lack thereof, if such person would otherwise qualify for and meet requirements for Vermont residency for in-state tuition purposes. It also requires any information collected pursuant to this section to be kept confidential.

Sec. 5 of this act amends 16 V.S.A. § 2282a to prevent the Board of Trustees of the University of Vermont and State Agricultural College from adopting in-state tuition policies that would discriminate against or exclude a person based solely on the person's immigration status, or lack thereof, if such person would otherwise qualify for and meet requirements for Vermont residency for in-state tuition purposes. It also requires any information collected pursuant to this section to be kept confidential.

Multiple effective dates, beginning July 1, 2024

**Act No. 137 (S.192). An act relating to civil commitment procedures at a secure residential recovery facility and a psychiatric residential treatment facility for youth and civil commitment procedures for individuals with an intellectual disability**

**Subjects: Health; human services; mental health; developmental disabilities; commitment**

Sec. 1 of this act outlines its purposes, including to enable treatment at a secure residential recovery facility, regardless of a prior hospitalization; enable treatment at a psychiatric residential treatment facility for youth; update civil commitment procedures for individuals with intellectual disabilities; and authorize the proposal of alternative options for a secure community-based residence or residences to treat certain individuals with intellectual disability who have been charged with a crime and found incompetent to stand trial or adjudicated not guilty by reason of insanity and require a more secure level of care than is currently available.

Secs. 2 through 16 make changes to civil commitment processes for individuals with a mental health condition. Sec. 2 amends 13 V.S.A. § 4822 by modifying existing language authorizing initial commitment "for an indeterminate period" to "a period of 90 days." It further provides a victim with the right to submit a victim impact statement to the Family Division of the Superior Court or through the prosecutor.

Sec. 3 amends 18 V.S.A. § 7101 to add a definition of "Department" and "psychiatric residential treatment facility for youth." It also moves and modifies the definition of "secure residential recovery facility" from elsewhere in Title 18.

Sec. 4 amends 18 V.S.A. § 7253 to add a psychiatric residential treatment facility for youth to the list of facilities at which patients are entitled to access a mental health patient representative.



Sec. 5 amends 18 V.S.A. § 7255 to add the psychiatric residential treatment facility for youth as a component of the mental health system of care.

Sec. 6 amends the existing reporting requirement in 18 V.S.A. § 7256 to update the receiving committee from the House Committee on Human Services to the House Committee on Health Care; to move an existing reporting requirement regarding involuntary medication from 1998 Acts and Resolves No. 114 to be part of the Department of Mental Health's systemwide annual report; and to add a new reporting requirement regarding individuals in the Commissioner's custody who are unable to move to a less restrictive setting due to lack of alternative placements.

Sec. 7 amends 18 V.S.A. § 7257 to add a psychiatric residential treatment facility for youth to the list of facilities that must report adverse events occurring at the facility to the Department of Mental Health.

Sec. 7a amends 18 V.S.A. § 7279 to require the Department of Mental Health to provide notice of any reportable adverse events to the Mental Health Care Ombudsman.

Sec. 8 adds 18 V.S.A. § 7260, which establishes a licensing requirement for the operation of a psychiatric residential treatment facility for youth. Specifically, this section requires that an applicant is a nonprofit entity and has demonstrated the capacity to operate a psychiatric residential treatment for youth in accordance with Department of Health rules; the applicant has maintained certification from the Centers for Medicare and Medicaid Services; the applicant has maintained accreditation by the Joint Commission or other accrediting organization; the applicant has demonstrated that the psychiatric residential treatment facility for youth complies with health, safety, and sanitation standards; residents of the psychiatric residential treatment facility for youth are under the care of a physician; the applicant has a clear process for responding to resident complaints; and the applicant is subject to inspection by the Department of Disabilities, Aging, and Independent Living and other authorized entities.

Sec. 9 amends 18 V.S.A. § 7503 to add the psychiatric residential treatment facility for youth to the list of facilities that a person 14 years of age or older could apply to for voluntary psychiatric care.

Sec. 9a amends 18 V.S.A. § 7509 to add the secure residential recovery facility and psychiatric residential treatment facility for youth to the list of facilities in which residents are statutorily required to be treated with dignity and respect.

Sec. 9b amends 18 V.S.A. § 7511 to apply existing protections for the transportation of individuals in need of mental health care to residents of the

secure residential recovery facility and psychiatric residential treatment facility for youth.

Sec. 10 amends 18 V.S.A. § 7612 to specify that an application for initial involuntary treatment at a secure residential recovery facility or psychiatric residential treatment facility for youth must expressly state where treatment is being sought and why the Commissioner of Mental Health has determined that clinically appropriate treatment for the individual's condition can only be provided safely in a secure residential recovery facility or psychiatric residential treatment facility for youth, respectively.

Sec. 11 amends 18 V.S.A. § 7618 to authorize the Family Division of the Superior Court to place an individual in need of involuntary treatment on an order of nonhospitalization at a secure residential recovery facility or psychiatric residential treatment facility for youth. The section further authorizes the Family Division of the Superior Court at any time, on its own motion or on the motion of an interested party, to review the need for treatment at a secure residential recovery facility or psychiatric residential treatment facility for youth, respectively.

Sec. 12 amends 18 V.S.A. § 7620 to specify that an application for continued treatment at a secure residential recovery facility or psychiatric residential treatment facility for youth must expressly state where treatment is being sought and why the Commissioner of Mental Health has determined that clinically appropriate treatment for the individual's condition can only be provided safely in a secure residential recovery facility or psychiatric residential treatment facility for youth, respectively. This section also repeals definitions that this act recodifies in 18 V.S.A. § 7101.

Sec. 13 amends 18 V.S.A. § 7621 to authorize the Family Division of the Superior Court to place an individual in need of further treatment due to a mental condition on an order of nonhospitalization at a psychiatric residential treatment facility for youth. This section also authorizes the Family Division of the Superior Court at any time, on its own motion or on the motion of an interested party, to review the need for treatment at the secure residential recovery facility or psychiatric residential treatment facility for youth.

Sec. 14 amends 18 V.S.A. § 7624 to allow the Commissioner of Mental Health to seek involuntary medication for an individual refusing to accept psychiatric medication who has been placed under an order of nonhospitalization at a secure residential recovery facility.

Sec. 15 amends 18 V.S.A. § 7628 to add a secure residential recovery facility to the Department of Mental Health's protocol ensuring health, safety, and respect for patients subject to involuntary medication.

Sec. 15a amends 18 V.S.A. § 7701 to require that notice of rights is provided to residents of a secure residential recovery facility and a psychiatric residential treatment facility for youth.

Sec. 16 amends 18 V.S.A. § 7703 to add a secure residential recovery facility and a psychiatric residential treatment facility for youth to the list of facilities where emergency involuntary procedure data is collected by the Department of Mental Health.

Sec. 17 directs the Commissioner of Disabilities, Aging, and Independent Living, in consultation with the Commissioner of Mental Health, to file initial proposed permanent rule amendments (and interim emergency rules) to the Licensing and Operating Regulations for Therapeutic Community Residences to allow the use of emergency involuntary procedures at a secure residential recovery facility; to require that a certificate of need for all emergency involuntary procedures performed at a secure residential recovery facility be submitted to Department of Mental Health and the Mental Health Care Ombudsman; and to authorize the use of involuntary medication at the secure residential recovery facility.

Sec. 17a authorizes an individual who has been committed to a secure residential recovery facility continuously since June 30, 2024, or earlier to apply to the Family Division of the Superior Court for review as to whether the secure residential recovery facility continues to be the least restrictive and most appropriate setting.

Sec. 18 amends 2021 Acts and Resolves No. 50, Sec. 3(c) to remove language in a former Capital Bill restricting use of emergency involuntary procedures at a secure residential recovery facility.

Sec. 19 authorizes the current secure residential recovery facility, River Valley, to operate under its existing certificate of need despite the policy changes made in this act.

Sec. 20 repeals 1998 Acts and Resolves No. 114, Sec. 5, an existing reporting requirement on involuntary medication, as the topic has been consolidated into the Department of Mental Health's annual report pursuant to Sec. 6 of this act.

Secs. 21 through 27 pertain to the changes to the civil commitment process for individuals with intellectual disabilities. Sec. 21 amends 13 V.S.A. § 4814 to remove a sunset, which has the effect of allowing psychologists to complete competency examinations on a permanent basis.

Sec. 22 amends 13 V.S.A. § 4816(b) to specify that a competency evaluation for an individual thought to have a developmental disability shall be conducted by a doctoral-level psychologist trained in forensic psychology.

Sec. 23 amends 13 V.S.A. § 4817 to specify that a psychiatrist or psychologist may conduct a competency exam in accordance with 13 V.S.A. §§ 4814–1816.

Sec. 24 amends 13 V.S.A. § 4820 by reorganizing subsection (a) and by specifying that a commitment hearing may be for commitment to the Commissioner of Mental Health or of Disabilities, Aging, and Independent Living, as appropriate.

Sec. 25 amends 13 V.S.A. § 4823 to specify that if the Criminal Division of the Superior Court finds by clear and convincing evidence that a person is a person in need of custody, care, and habilitation, it shall issue a commitment order for up to one year in a designated program in the least restrictive environment consistent with the person's need for custody. It further specifies that commitment procedures and orders from discharge shall occur in accordance with 18 V.S.A. chapter 206, subchapter 3.

Sec. 26 makes multiple amendments to 18 V.S.A. chapter 206, subchapter 3. In addition to amending definitions in 18 V.S.A. § 8839, this section repeals 18 V.S.A. §§ 8840–8843 to eliminate provisions rendered irrelevant by the previous repeal of cross-referenced sections. This section rewrites 18 V.S.A. § 8845, creating a petition and order for continued custody, care, and habilitation. More specifically, 18 V.S.A. § 8845 states that prior to the expiration of a commitment order pursuant to Title 13, the Commissioner may seek continued commitment in the Family Division of the Superior Court by filing a petition and that once filed the court shall hold a hearing within 14 days after the date of the petition's filing, which may be continued for good cause shown. Orders of continued commitment may be made up to one year in a designated program in the least restrictive environment. 18 V.S.A. § 8846 authorizes a person to initiate judicial review in the Family Division of the Superior Court or an administrative review any time after 90 days following a current commitment or continued commitment order, but not earlier than six months after the filing of a previous review under this section. 18 V.S.A. § 8847 addresses discharge from the Commissioner's custody and also authorizes a crime victim receiving notice of the alleged perpetrator's discharge from the Commissioner's custody to submit a victim impact statement to the Family Division of the Superior Court.

Sec. 27 authorizes the Department of Disabilities, Aging, and Independent Living to propose alternative options for a secure community-based residence to treat individuals who have been charged with a crime and found incompetent to stand trial or adjudicated not guilty by reason of insanity, who are in the Commissioner's custody, and who require a more secure level of care than is currently available.

Lastly, Sec. 28 directs the Agency of Human Services to submit a report to the General Assembly that provides a fiscal estimate for the implementation of a competency restoration program operated or under contract with the Department of Mental Health.

Effective Date: July 1, 2024

**Act No. 138 (S.195). An act relating to how a defendant’s criminal record is considered in imposing conditions of release**

**Subjects: Criminal procedure; crimes; conditions of release**

This act reforms Vermont’s statutes related to bail and conditions of release by adding new considerations for courts to consider, new enforcement mechanisms for prosecutors and courts alike, and new alternatives to incarceration for defendants awaiting trial and post-adjudication.

For defendants awaiting trial, this act adds new factors for the court to consider in imposing bail or conditions of release, or both. Specifically, the courts now must consider whether a defendant is currently under some form of court-ordered supervision, compliant with court orders, or has failed to appear in past court proceedings. Additionally, the \$200.00 cap on bail for defendants charged with an expungable misdemeanor is removed if they are charged with another crime while already awaiting trial. Further, the courts can impose new conditions of release in the form of a new pretrial supervision program and an expanded home detention program for those who meet certain requirements. Defendants who violate conditions of release will also be subject to a clarified and expanded violations of conditions of release statute for prosecutors to use. This act also amends State law to consider the use of a firearm while selling or trafficking drugs as a violent act for determining bail and codifies community restitution, otherwise known as “work crew,” as a sentencing alternative for the courts to impose in lieu of incarceration.

Finally, this act charges the Joint Legislative Justice Oversight Committee to review and recommend the most pragmatic use of funds and the locations to operate the Pretrial Supervision Program. Additionally, the Corrections Monitoring Commission is mandated to do a self-review resulting in recommendations for reforms to operate more functionally and efficiently.

Effective Date: May 30, 2024

**Act No. 139 (S.204). An act relating to supporting Vermont’s young readers through evidence-based literacy instruction**

**Subjects: Education; literacy; reading instruction**

This act creates several requirements related to evidence-based literacy instruction and training for educators, including the following:

- Sec. 1 of this act contains legislative findings regarding literacy and reading instruction.
- Sec. 2 creates a new requirement for the Agency of Education to review and publish guidance on universal reading screeners and for public and approved independent schools that are eligible to receive public tuition to use those universal reading screeners to screen all students in grades kindergarten through three, at least annually, and provide supplementary evidence-based reading instruction and ongoing monitoring of progress for students with screening results significantly below relevant benchmarks. This section also requires supervisory unions and approved independent schools that are eligible to receive public tuition to report certain data related to the use of universal reading screeners to the Agency of Education, which is then required to annually report to the House and Senate Committees on Education and the Governor regarding the status of the State's progress in improving literacy learning, as well as the data collected from supervisory unions and approved independent schools.
- Sec. 3 requires the Agency of Education to issue recommendations for the form and substance of parental or guardian notification for students with a screening result that is significantly below the relevant benchmarks.
- Sec. 4 requires the Agency of Education to submit a report to the House and Senate Committees on Education on or before January 25, 2025 with a list of the universal reading screeners they have reviewed and published guidance on pursuant to Sec. 2 of this act.
- Sec. 5 of this act makes amendments to 16 V.S.A. § 2903 regarding preventing early school failure and reading instruction to conform to the terms used in Sec. 2 of this act. It also creates a new requirement for approved independent schools that are eligible to receive public tuition to develop grade-level appropriate school literacy plans that are informed by student needs and assessment data. Sec. 6 of this act requires approved independent schools that are eligible to receive public tuition to develop their literacy plans on or before January 1, 2025.

- Sec. 7 of this act requires supervisory unions and approved independent schools that are eligible to receive public tuition to provide professional learning activities to kindergarten through grade three educators on implementing a reading screening assessment, interpreting the results, determining instructional practices, and communicating with families regarding screening results in a supportive way.
- Sec. 8 requires the Agency of Education to make recommendations to the Vermont Standards Board for Professional Educators on how to strengthen educator preparation programs' teaching of evidence-based literacy practices as well as whether additional educator exams are needed to assess skills in math and English language arts fundamentals. The Standards Board is then required to consider such recommendations and update applicable rules accordingly on or before July 1, 2026.
- Sec. 9 of this act adds additional members to the Advisory Council on Literacy and amends the number of meetings the Council holds each year from eight to four.
- Sec. 10 extends the prospective repeal of the Advisory Council on Literacy from June 20, 2024 to June 30, 2027.
- Sec. 11 converts one limited-service position within the Agency of Education to one classified permanent status position to support the Agency in its evidence-based literacy work.
- Sec. 12 of this act requires the Department of Libraries to submit a report to the House and Senate Committees on Education with recommendations for expanding access to early childhood literacy resources on or before January 15, 2025.

Multiple effective dates, beginning on May 30, 2024

**Act No. 140 (S.206). An act relating to designating Juneteenth as a legal holiday**

**Subjects: General provisions; legal holidays; Juneteenth**

This act designates Juneteenth (June 19) as a legal State holiday.

Effective Date: May 30, 2024

**Act No. 141 (S.301). An act relating to miscellaneous agricultural subjects**

**Subjects: Agriculture; water quality; livestock; warehouses; mosquito control; Vermont Agricultural Credit Corporation**

The act amends the existing Vermont Seeding and Filter Strip Program at the Agency of Agriculture, Food and Markets (AAFM) to eliminate the requirement that a participating farmer commit to a 10-year term during which land in proximity to water will be out of production. Time limits for participation will now be a part of the grant agreement for financial assistance.

The act eliminates the need for milk handlers and slaughterhouses to obtain an agricultural warehouse license. The act amends the definitions under the regulation of livestock dealer to clarify how livestock transporters are regulated. The act also amends definitions regarding contagious diseases and animal movement for consistency across statute. The act makes technical changes to the mosquito control grant program and requires AAFM to register second-generation anticoagulant rodenticides sold or used in the State as restricted use pesticides.

The act makes several changes to the services and eligibility for services under the Vermont Agricultural Credit Program (VACP). The act provides that the VACP shall provide funding for farm and forest products businesses not only when these businesses are not having their credit needs met but also to serve as an inducement for the establishment or expansion of projects in the State. VACP would also be authorized to award farm ownership loans for farm worker housing or farmer housing. VACP assistance would also be available to specialty service business providers, such as foresters or farriers.

In addition, the act prohibits pet shops from selling dogs and cats beginning on July 1, 2024, except in certain circumstances. The act also prohibits the sale of the paws and internal organs of black bears except when the paws are sold as part of a taxidermy product.

Effective Date: July 1, 2024

**Act No. 142 (S.305). An act relating to miscellaneous changes related to the Public Utility Commission**

**Subjects: Public service; utilities; Public Utility Commission**

This act makes multiple changes related to programs of the Public Utility Commission (PUC). The act updates references to notice requirements for hearings before the Public Utility Commission. The act amends the Energy Efficiency Modernization Act pilot program from 2020 that allows efficiency utilities to spend a portion of their energy efficiency funds on thermal and transportation efficiency programs. It removes the PUC's authority to review and approve the budget and programs under this pilot and sets a cap on the amount that can be spent. The act also makes changes to the Clean Heat Standard, including changing the annual registration date for fuel sellers to June 30 from



January 31, striking the requirement that all information submitted by fuel sellers be posted on the PUC's website, changing the date by which the default delivery agent needs to be appointed by, and giving the Commissioner of Taxes discretion to share tax return information with the PUC and the Department of Public Service for compliance with the Clean Heat Standard. The act also sets the fees for certificates of public good for energy storage facilities. The act updates the energy savings account program so that customer funds can be spent on electric energy efficiency projects and non-electric efficiency projects and sets a cap on the program. The act directs the PUC to report back on how to support the development of thermal energy networks and the permitting of thermal energy network providers. The act extends the deadlines by one year for the required construction of an efficiency project at the baseload power plant. The act changes the advanced notice requirement for Dig Safe from 48 hours to 72 hours. The act directs the PUC to study current and potential future programs and initiatives focused on reducing or stabilizing energy costs for low- or moderate-income households.

Multiple effective dates, beginning on May 30, 2024

**Act No. 143 (S.310). An act relating to natural disaster government response, recovery, and resiliency**

**Subjects: Internal security and public safety; taxation and finance; natural disaster recovery**

This act contains sections addressing various issues relating to natural disaster government response, recovery, and resiliency.

Creation of the Community Resilience and Disaster Mitigation Grant Program and Fund

Sec. 1 adds 20 V.S.A. § 48 (Community Resilience and Disaster Mitigation Grant Program), creating the Community Resilience and Disaster Mitigation Grant Program to be administered by the Department of Public Safety for the purpose of awarding grants for municipal disaster mitigation projects.

Sec. 2 adds 20 V.S.A. § 49 (Community Resilience and Disaster Mitigation Fund), creating the fund from which the grant program will draw. It also requires an annual report back to the General Assembly from the Department of Public Safety with a summary of each project receiving funding.

Sec. 3 was deleted.

Sec. 4 increases the amount to be annually allocated to the Emergency Medical Services Special Fund to be increased from \$150,000 to \$450,000.

### Credit Facilities for Local Investments

Sec. 4a amends 10 V.S.A. § 10 by creating two new subsections: (c) enables the State Treasurer to create an additional credit facility of up to 2.5% of the State’s average cash balance for financing local investments relating to climate infrastructure and resilience projects; and (d) requires the Treasurer to annually report to the General Assembly the activities, financing, and accounting of any credit facilities created pursuant to subsection (c).

Sec. 4b permits the Treasurer to use funds appropriated in fiscal year 2025 to coordinate climate infrastructure financing efforts within the State, including use for administrative costs and third-party consultations. The Treasurer shall report by December 15, 2024, to the General Assembly detailing the status of coordination efforts and with any recommendations regarding legislation.

### Defining First Responder

Sec. 5 amends 20 V.S.A. § 2 (definitions) and creates a definition for the term “first responder.” This term now arises in the context of planning for emergencies and all-hazards events.

Sec. 6 was deleted.

Sec. 6a was deleted.

### Emergency Management

Sec. 7 amends 20 V.S.A. § 6 (local and regional organization for emergency management) to add representatives from local libraries, arts and culture organizations, regional development corporations, local business organizations, and community-based emergency or charitable food providers to the list of nonvoting members of regional emergency management committees. This section also requires the Department of Public Safety’s Division of Emergency Management to advise municipalities on where to locate emergency shelters.

Sec. 7a requires the Department for Children and Families to report back on the resources needed to enable Vermont to implement the Supplemental Nutrition Assistance Program’s Restaurant Meals Program.

Sec. 8 amends 20 V.S.A. § 31 (State Emergency Response Commission; duties) to clarify that the State Emergency Response Commission has the authority to ensure that the State Emergency Management Plan will go into effect when an accident occurs involving the transportation of hazardous materials.

Sec. 9 amends 20 V.S.A. § 32 (local emergency planning committees; creation; duties) to clarify that “local emergency planning committee” is a federal term used by FEMA—rather than a State term—which originates in the

Emergency Planning and Community Right-To-Know Act (“EPCRA”) of 1986, 42 U.S.C. §§ 11001–11050.

Sec. 10 codifies the State Emergency Management Plan as created by the Department of Public Safety’s Vermont Emergency Management Division and requires that the Plan be updated as necessary, but at least every five years.

Sec. 11 requires the Division of Vermont Emergency Management to perform an “after action review.” In addition to the federal Homeland Security Exercise and Evaluation Program’s requirements, the review may include examining the adequacy of early warning and evacuation orders, designated evacuation routes and emergency shelters, the present system of local emergency management directors in widespread emergencies, and the State’s present emergency communications systems. The Division will also publish best management practices for rebuilding after emergencies and report back to both the Senate Committee on Government Operations and the House Committee on Government Operations and Military Affairs on both the outcome of the review and the best management practices.

Sec. 12 was deleted.

#### Municipal Stormwater Utilities

Secs. 13–15 modify how stormwater rates are assessed and how the associated revenue may be used. Sewage system commissioners may now set stormwater rates for equivalent residential units based on an average area of impervious surface on residential property within the municipality. Revenues may be used for stormwater management, control, and treatment; flood resiliency; floodplain restoration; and other similar measures.

#### Creation of the Urban Search and Rescue Team

Sec. 16 adds 20 V.S.A. § 50 (Urban Search and Rescue Team), which creates the Urban Search and Rescue (USAR) Team within the Department of Public Safety. “Urban” is a federal term; this team will respond to emergencies throughout all of the State, regardless of whether an area is urban, rural, etc.

#### Vermont-211 Information Privacy

Sec. 17 requires Vermont 211 to keep confidential any personal information acquired from victims of natural disasters except for coordinating relief work for affected individuals.

#### Emergency Communications

Sec. 18 requires the Emergency Management Division, in consultation with the Enhanced E-911 Board, to develop a policy using E-911 to provide more effective VT-Alerts in large emergencies.

Sec. 19 amends 30 V.S.A. § 7055 (originating carrier coordination) to modernize statutory language so that “originating carriers” are required to provide location and caller data in accordance with current 911 standards.

Sec. 20 requires the Enhanced 911 Board, in consultation with the Public Utilities Commission, to evaluate and report on the current tariffs for service elements necessary for the provision of Enhanced 911 services.

#### Language Assistance Services for State Emergency Communications

Sec. 21 adds 20 V.S.A. § 4 (language assistance services for state emergency communications), which requires the Emergency Management Division to ensure language assistance services are being provided to individuals who are Deaf, Hard of Hearing, and DeafBlind and to individuals with limited English proficiency for all State emergency communications. While the other sections of this act shall take effect on July 1, 2024, Sec. 21 will take effect on July 1, 2025 to allow the Working Group’s report to be issued before the language assistance services requirements of 20 V.S.A. § 4 take effect.

Sec. 22 was deleted.

Sec. 23 creates the “Language Assistance Services for Emergency Communications Working Group” to develop and report on best practices for the distribution of language assistance services on mass communication platforms to ensure emergency communications are being effectively delivered to individuals who are Deaf, Hard of Hearing, or DeafBlind and to individuals with limited English language proficiency.

#### Post-Secondary Disaster Management Programs

Sec. 24 requires the Vermont State University and the President or designee for the University of Vermont to report on potentially creating post-secondary disaster management programs.

#### Emergency Powers of the Governor and Emergency Management

Sec. 25 amends 20 V.S.A. § 1 (purpose and policy), clarifying language regarding the Governor’s emergency powers.

Sec. 26 amends 20 V.S.A. § 8 (general powers of Governor), inserting the term “first responder” and adding considerations for water and fuel in emergency response.

Sec. 27 amends 20 V.S.A. § 9 (emergency powers of Governor), inserting the term “first responder” and updating terminology for consistency across statutory sections.

Sec. 28 amends 20 V.S.A. § 11 (additional emergency powers), clarifying who at the local level may be designated an emergency management director. This section also clarifies language regarding temporary and permanent takings during an emergency.

Sec. 29 amends 20 V.S.A. § 13 (termination of emergencies), updating terminology for consistency across statutory sections.

Sec. 30 amends 20 V.S.A. § 17 (gifts, grants, or loan), modifying the processes for the Governor accepting gifts, grants, or loans during a declared state of emergency. Any services, equipment, supplies, materials, or funds by way of gift, grant, or loan for purposes of emergency management, accepted by the Governor from private or federal sources shall be accepted in accordance with the regular non-emergency processes under 32 V.S.A. § 5 *unless* there exists a reasonable expectation that without the acceptance the all-hazards event will imminently cause bodily harm, loss of life, or significant property damage within the State, in which case the Governor shall have the sole authority to accept these.

Sec. 31 amends 20 V.S.A. § 26 (change of venue because of an All-Hazards Event), updating terminology for consistency across statutory sections.

Sec. 32 amends 20 V.S.A. § 30 (State Emergency Response Commission; creation) adding a tenth public member to the State Emergency Response Commission and shifting the process for appointing members from only the Governor to rotating between the Governor, the Speaker of the House, and the Senate Committee on Committees.

Sec. 33 amends 20 V.S.A. § 34 (temporary housing for disaster victims), clarifying language and updating terminology for consistency across statutory sections.

Sec. 34 amends 20 V.S.A. § 39 (fees to the Hazardous Substances Fund) by merging the language of the now-repealed 20 V.S.A. § 40 (enforcement).

Sec. 35 repeals 20 V.S.A. § 40 (enforcement).

Sec. 36 was deleted.

Sec. 37 was deleted.

Multiple effective dates, beginning on July 1, 2024

**Act No. 144 (H.546). An act relating to administrative and policy changes to tax laws**

**Subjects: Income tax; property valuation; renter credit**

This act makes several changes to Vermont tax laws, including linking Vermont income tax law to federal income tax law for tax year 2023, expanding the number of individuals that qualify for the renter credit, specifying how property valuations are conducted for utility properties, and creating a property tax exemption for county-owned property.

This act extends sunsets for the fuel tax, Health IT Fund, sales tax exemption for advanced wood boilers, and the machinery and equipment income tax credit.

This act allows any municipality to adopt a local option tax without a municipal charter change.

Multiple effective dates, beginning on January 1, 2024

**Act No. 145 (H.657). An act relating to the modernization of Vermont's communications taxes and fees**

**Subjects: Fees; taxes; communications property and services; Vermont Universal Service Fund; tangible personal property; public right-of-way**

This act concerns taxes and fees applicable to communications providers and services. First, there are several changes to the financial structure of the Vermont Universal Service Fund. First, it changes the contribution method applicable to the Fund by replacing the 2.4 percent proportional charge with a \$0.72 charge for each retail access line in service. It creates a carve-out for prepaid wireless communications service, which will continue to be subject to the 2.4 percent charge at the point of sale. In addition, the act authorizes distributions from the Fund to support the operational and capital costs of the Vermont 988 Suicide and Crisis Lifeline, within annual limits approved in advance by the General Assembly, and it specifies that 17 percent of Fund revenue shall be distributed to the Vermont Community Broadband Board. These changes take effect July 1, 2025.

Second, the act repeals the telephone personal property tax and the alternative gross receipts tax. Instead, certain communications network infrastructure (telephone, cable television, and broadband facilities, such as wires, cables, antennas, poles, and towers) shall be set in the grand list as real estate and taxed at fair market value. All other tangible communications personal property shall be taxed as business personal property.

Third, the act requires the Secretary of Transportation, in consultation with the Commissioner of Public Service and the Secretary of Digital Services, to conduct a study concerning access to and use of the public right-of-way in Vermont by telephone (wired and wireless) and broadband companies. On or before December 15, 2024, the Secretary shall submit a written report of the Secretary's

findings and recommendations to the Senate Committees on Transportation and on Finance and the House Committees on Transportation, on Ways and Means, and on Environment and Energy.

Multiple effective dates, beginning on June 3, 2024

**Act No. 146 (H.707). An act relating to revising the delivery and governance of the Vermont workforce system**

**Subjects: Workforce development; State Workforce Development Board**

This act creates the Office of Workforce Strategy and Development, amends the membership and oversight of the State Workforce Development Board, creates a task force to study and develop a data management model for workforce-related programs, and authorizes a special oversight committee to produce recommendations on statutory language related to workforce leadership.

Sec. 1 of this act creates the Office of Workforce Strategy and Development along with two staff members, including the Executive Director of the Office. The Executive Director will coordinate efforts of workforce development in the State and oversee the affairs of the State Workforce Development Board, among other duties. The Governor has the authority to appoint the Executive Director with advice and consent from the Senate. Sec. 1 also amends the makeup and management of the State Workforce Development Board. Membership on the Board is changed from over 60 members to 28 members, with a majority of those members being business representatives as required by federal law. Sec. 1 creates the Executive Committee of the State Workforce Development Board which is made up of a small number of Board members to oversee the affairs of the Board.

Sec. 2 amends dates in session law to reflect changes made elsewhere in this act and with the work performed by the Special Oversight Committee on Workforce Expansion and Development.

Sec. 3 creates a task force wherein the Executive Director of Workforce Strategy and Development will consult with the Executive Committee of the State Workforce Development Board and the Agency of Digital Services to develop a data trust as outlined in the final report of the Special Oversight Committee on Workforce Expansion and Development.

Sec. 4 reauthorizes the Special Oversight Committee on Workforce Expansion and Development to review the language in 10 V.S.A. § 540 where the leadership and duties of workforce and training are set forth. The Committee will also consult with the Department of Human Resources to develop qualifications to suggest to the Governor for the position of Executive Director of Workforce Strategy and Development.

Sec. 5 sets forth a transition period for the State Workforce Development Board to reflect changes made to it in this act.

Multiple effective dates, beginning on June 3, 2024

**Act No. 147 (H.794). An act relating to services provided by the Vermont Veterans' Home**

**Subjects: Internal security and public safety; Vermont Veterans' Home; statewide provision of services**

This act provides the Vermont Veterans' Home's Board of Trustees with authority to provide or coordinate the provision of services, supports, and housing for Vermont veterans who do not reside at the Vermont Veterans' Home. The act also provides the Board with authority to establish another nursing home in Vermont to serve veterans who do not reside at the Vermont Veterans' Home.

Effective Date: July 1, 2024

**Act No. 148 (H.868). An act relating to the fiscal year 2025 Transportation Program and miscellaneous changes to laws related to transportation**

**Subjects: Transportation; annual Transportation Program; emissions; town highway aid; electric distribution utilities; public transit; Mobility and Transportation Innovation (MTI) Grant Program; electric vehicle supply equipment (EVSE); EV infrastructure fees; complete streets; Amtrak; transportation planning; vehicle incentive programs; Central Garage Fund; beneficial electrification; appropriations calculations; right-of-way permit fees; mobility services; Vermont Rail Plan; complete streets principles; MileageSmart; Vermont State Design Standards**

This act:

- Transportation Program. Adopts the Agency of Transportation's (Agency or AOT) Proposed Fiscal Year 2025 Transportation Program (Revised February 15, 2024) except as amended in the act (Transportation Program) and defines terms used throughout the act.
- Fiscal Year 2025 Transportation Investments Intended to Reduce Transportation-Related Greenhouse Gas Emissions, Reduce Fossil Fuel Use, and Save Vermont Households Money. Summarizes certain transportation investments.
- Heating Systems in Agency of Transportation Buildings. Reiterates that renewable energy goals in State Comprehensive Energy Plan requires



Agency of Transportation to meet at least 35 percent of its thermal energy needs from non-fossil fuel sources by 2025 and 45 percent by 2035. Directs AOT to prioritize switching to high-efficiency, advanced wood heating when building new State facilities or replacing heating equipment. Requires AOT to report to the Department of Buildings and General Services by October 1 every other year on the percentage of its thermal energy usage during previous two years that came from fossil and non-fossil fuels.

- Public Transit; Carbon Reduction Program; Environmental Policy and Sustainability Program; Central Garage; Electric Vehicle Supply Equipment (EVSE). Reduces Fiscal Year 2025 Transportation Program spending for the Carbon Reduction Funding in the Public Transit Program by \$1,100,000 and uses those funds for electrification of the Central Garage Fleet in the Environmental Policy and Sustainability Program. Reduces Fiscal Year 2025 Transportation Program spending for the Central Garage by \$1,100,000 and distributes \$1,700,000 in one-time Transportation Fund monies to the Agency of Commerce and Community Development for grants to increase Vermonters' access to level 1 and 2 EVSE charging ports at workplaces and multiunit dwellings.
- Highway Maintenance; Spending Reduction; Central Garage; Restoration of Appropriations. Reduces Fiscal Year 2025 Transportation Fund spending for highway maintenance by \$2,160,000 and uses those funds for other purposes. Specifies that restoring the Fiscal Year 2025 Maintenance Program and Central Garage appropriations and authorizations to the levels included in AOT's Proposed Fiscal Year 2025 Transportation Program are to be AOT's top fiscal priorities. Provides a mechanism to allow AOT to restore the appropriations using unencumbered Fiscal Year 2024 Transportation Fund monies that would otherwise be authorized to carry forward.
- Town Highway Aid; Spending Increase. Increases authorized Town Highway Aid spending by \$860,000.
- Town Highway Structures; Spending Increase. Increases authorized Town Highway Structure spending by \$600,000.
- One-Time Public Transit Monies; Green Mountain Transit; Fare Collection, Evaluation, and Reorganization; Report. Authorizes one-time spending of \$630,000 for a grant to Green Mountain Transit (GMT) as bridge funding for Fiscal Year 2025 while GMT stabilizes its finances, adjusts its service levels, and transitions to a sustainable funding model; imposes conditions on grant funding, including restarting fare collection for urban and

commuter transit, evaluating alternative service options, and reporting to Transportation Committees in November 2024 and February 2025.

- One-Time eBike Incentive Program Monies. Authorizes AOT to spend up to \$70,000 in one-time Transportation Fund monies to provide incentives under the eBike Incentive Program.
- AOT Duties; Bonding. Allows AOT Secretary to waive the requirement of a surety bond if a contract for construction of a transportation improvement is for \$100,000 or less.
- Delays; Increased Estimated Costs. Amends requirements for when existing projects must be included in the updates found in the Agency's annual proposed Transportation Program because of increased project costs. Requires AOT to report to the Transportation Committees on or before December 15, 2024 with a plan for providing sufficient notice when approved Transportation Program projects will be delayed.
- Appropriations Calculations; Central Garage Fund and Town Highway Aid. Clarifies the methodology for performing inflationary calculations for transfers to the Central Garage Fund and appropriations for town highway aid.
- Right-of-Way Permits; Fees; Waiver. Allows the AOT Secretary to waive collection of the right-of-way permit fee for minor commercial development if the Governor has declared a state of emergency and the Secretary has determined that the applicant is facing hardship; the applicant must apply for the waiver during, or within six months after the end of, the state of emergency.
- Replace Your Ride Program. Amends the Replace Your Ride Program to increase the period of time within which an "older low efficiency vehicle" removed from operation must have passed its annual inspection from within the prior year to within the prior 18 months. It also allows AOT to waive or modify some of the eligibility requirements for the Replace Your Ride Program under certain circumstances.
- Electrify Your Fleet Program. Revises certain purchase and lease incentives in the Electrify Your Fleet Program.
- eBike Incentives; Eligibility. Annualizes AOT's report requirement on eBike incentives and requires the report to include a description of AOT's post-voucher sampling audits and audit findings, plus any recommendations to improve the program design and effectiveness in directing funding to recipients most in need.

- Vehicle Incentive Programs; Annual Reporting. Amends AOT's annual report requirement on the effectiveness of the State's vehicle incentive programs to include addressing the effectiveness of the State's marketing and outreach efforts making recommendations for improvements to those efforts.
- Vehicle Incentive Programs; Authority to Transfer Money. In Fiscal Year 2025, allows AOT Secretary to transfer up to 50 percent of any remaining monies for the New Plug-In Electrical Vehicle Program, the Mileage Smart Program, or the Replace Your Ride Program to any one of those three programs if the program has less than \$500,000 available for incentive distribution; AOT must report the transfer to Joint Transportation Oversight Committee and Joint Fiscal Office within 30 days after transfer.
- Electric Vehicle Supply Equipment (EVSE). Modifies and codifies EVSE goals of having publicly available level 3 EVSE charging ports within three driving miles of every exit of Interstate Highways 89, 91, and 93; within 25 driving miles of another level 3 EVSE charging port; and co-located with, or within safe and walkable and rollable distance of, publicly accessible amenities. Also modifies and codifies requirements that AOT file an annual report, with a map, regarding the State's effort to meet its federally required Electric Vehicle Infrastructure Deployment Plan, and an annual report regarding the current operability of publicly available EVSE that was deployed with assistance of AOT funding. Requires AOT to submit a written plan by January 15, 2025, for how to fund and maintain the EVSE necessary for Vermont to meet relevant goals in the Comprehensive Energy Plan and the Vermont Climate Action Plan. Also requires AOT to provide testimony by March 1, 2025, regarding regulation of EVSE that is available to the public and how to ensure accuracy and transparency in EVSE costs and charges.
- Electric Distribution Utilities; EVSE-Related Service Upgrades; Report. Requires the Public Utility Commission to include information regarding service upgrade practices related to EVSE installation across all electric distribution utilities in a report due by January 15, 2025, pursuant to an existing reporting requirement.
- Mobility Services Guide; Oral Update. Requires AOT, in consultation with others, to develop a web-based guide outlining the different mobility service models that the State could consider for deployment and directs AOT to give an oral update and presentation of the web-based guide by February 15, 2025.

- Mobility and Transportation Innovations (MTI) Grant Program. Establishes and codifies the MTI Grant Program, which will support innovative transportation demand management programs and transit initiatives that improve mobility and access to services for transit-dependent Vermonters, reduce use of single-occupancy vehicles, reduce greenhouse gas emissions, and complement existing mobility investments. Allows for grant awards of up to \$250,000 per recipient for capital and/or operational costs for matching funds for other grants, for program delivery costs, or to extend existing programs, but not to supplant existing State funding for the same project or program.
- Vermont Rail Plan; Amtrak. Requires AOT, as part of its new Vermont Rail Plan, to consider and address adding additional daily service on the Vermonter and expanding service on the Valley Flyer. Also requires AOT to consult with others regarding bicycle storage on the trains serving these routes, with an oral update due by February 15, 2025.
- Replacement for the Vermont State Design Standards. Requires AOT to release a draft of the replacement for the VT State Design Standards by January 1, 2026; conduct at least 4 public hearings across the State; provide a publicly available summary of public engagement activities and public responses to the final draft of the replacement; consult key stakeholders; and provide oral updates by February 15, 2025 and 2026.
- Complete Streets; Traffic Calming Measures, Designated Centers. Expands the “complete streets principles” for State- and municipally managed transportation projects to include, when desired by a municipality or specifically identified in the regional plan, designing streets to calm and slow traffic in State-designated centers. Also requires a project manager who chooses not to incorporate “complete streets principles” in a project because the cost would be disproportionate to the need or probable use to address in the manager’s required written determination any design elements desired by the municipality or specifically identified in the regional plan but not incorporated.
- Analysis & Report on Sustainability Options; Transportation Emissions Reductions. Requires AOT and Agency of Natural Resources, in consultation with others, to prepare a written analysis of policy and investment scenarios to reduce transportation-related emissions and meet State greenhouse gas reduction standards. The analysis must address, at a minimum, the pros, cons, costs, and benefits of the State participating in a regional cap-and-invest program, adopting a clean transportation fuel standard, and implementing other potential revenue-raising, carbon-pollution reduction strategies, and include an estimate of the amount of

emissions reduction from a minimum of four scenarios and a summary of how each analyzed proposal would be administered. Requires the State Treasurer to review the written analysis and make written recommendations to the General Assembly and requires maintenance of a publicly accessible website regarding development of the written analysis and the filing of a status update with key legislative committees by November 15, 2024. Both the Agencies' written analysis and the Treasurer's recommendations must be filed with the legislative committees by February 15, 2025. Requires the Agencies to hire a consultant who is an expert in comprehensive transportation policy with a focus on emissions reductions and economic modeling.

- Better Connections Grant Program. Codifies the Better Connections Grant Program, an existing program that provides planning grants to municipalities to coordinate municipal land use decisions with transportation investments.
- Transportation Funding Study; Consultant. Directs AOT to contract with an independent consultant with expertise in transportation funding and finance to look at current and potential future transportation funding needs and options, including a mileage-based user fee (MБУF). A written update and preliminary draft, if available, are due by December 15, 2024, with the final report and recommendations due by January 15, 2025.
- EV Infrastructure Fee; Electric and Plug-In Hybrid Vehicles. Requires the DMV Commissioner to collect an annual electric vehicle (EV) infrastructure fee for electric and plug-in hybrid vehicles as follows:
  - for a battery electric vehicle, an annual amount equal to the annual registration fee or a biennial amount equal to twice the annual registration fee; and
  - for a plug-in hybrid electric vehicle, an amount equal to ½ of the annual registration fee or a biennial amount equal to the amount of the annual registration fee.

Allocates the EV infrastructure fees collected to the Transportation Fund to be used to increase Vermonters' access to EVSE charging ports. Directs DMV to implement a public outreach campaign about EV infrastructure fees by October 1, 2024. The EV infrastructure fee for battery electric vehicles will sunset on the effective date of a mileage-based user fee for battery electric vehicles.

- Proposed Fiscal Year 2026 Transportation Program; EVSE Charging Ports Project. Requires AOT to include a project in its proposed fiscal year 2026 transportation program that provides the estimated Fiscal Year 2026

revenue from the EV infrastructure fee to the Agency of Commerce and Community Development for grants to increase access to level 1 and 2 EVSE charging ports.

- Central Garage; Real Property; Facility Design; Authority. Authorizes AOT Secretary to use up to \$2 million in Central Garage Fund reserve funds to purchase a specific piece of real property in Berlin, or to purchase a different piece of real property after receiving specific prior approval from the Joint Transportation Oversight Committee (JTOC), to use for the new Central Garage. Allows AOT Secretary to use Central Garage Fund reserve funds for related design services but requires Secretary to collaborate with the affected municipality on design and construction
- Lease for Continued Operation of Railroads. Removes requirements for legislative and gubernatorial approval in order for the AOT Secretary to lease or make other arrangements for the continued operation of service on State-owned railroad property but requires the Secretary to notify the Transportation Committees or JTOC when there are 12 months remaining on an operating lease, or lease extension, for any State-owned railroad.
- Traffic Control Devices; Adoption of MUTCD Revisions. Aligns State law with federal provisions regarding implementation of the federal Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD).
- Sec. 34a – MileageSmart; Income Eligibility. Allows AOT to reduce the income eligibility threshold for point-of-sale MileageSmart vouchers (worth up to \$5,000) below 80 percent of the State median income based on available funding or applicant volume, or both, to prioritize vouchers to households with lower income. Allows the amount of the EV infrastructure fee for the first year that a plug-in electric vehicle purchased through MileageSmart is subject to the fee to be treated as an eligible MileageSmart expense until such time as a mileage-based user fee for battery electric vehicles goes into effect in Vermont.

Multiple effective dates, beginning on June 3, 2024

See budget chart on the following page.

FY 2025 Budget By Fund - As Passed							
	All Funds	T-Fund	Federal	Local/Other	InterDept	TIB	Int Svc Fund
<b>DEPT. OF MOTOR VEHICLES</b>	47,262,896	44,454,119	2,687,081		121,696		
<b>FINANCE &amp; ADMINISTRATION</b>	24,568,595	23,202,105	1,356,490				
<b>PROGRAM DEVELOPMENT</b>							
Paving	130,141,087	23,235,723	106,905,364				
Interstate Bridge	55,524,967		51,272,470			4,252,497	
State Highway Bridge	64,915,709	2,295,360	51,689,724	456,403		10,474,222	
Roadway	67,048,158	10,044,843	56,057,435	945,880			
Traffic & Safety	50,710,934	382,621	50,328,313				
Park & Ride	1,464,833	150,000	1,314,833				
Bike & Pedestrian Facilities	11,648,752	2,288,020	7,622,024	1,738,708			
Transportation Alternatives	5,416,614		4,333,291	1,083,323			
Multi-Modal Facilities	0						
Program Development Administration	33,733,793	27,448,580	4,873,695		1,411,518		
<b>Total Program Development</b>	<b>420,604,847</b>	<b>65,845,147</b>	<b>334,397,149</b>	<b>4,224,314</b>	<b>1,411,518</b>	<b>14,726,719</b>	
<b>REST AREAS</b>	1,485,601	148,560	1,337,041				
<b>POLICY &amp; PLANNING</b>	14,051,853	3,137,901	10,797,449		116,503		
<b>ENVIRONMENTAL POLICY &amp; SUSTAINABILITY</b>	9,609,773	531,909	7,900,327	1,177,537			
<b>MAINTENANCE</b>	106,438,497	105,406,483	932,014		100,000		
<b>PUBLIC TRANSIT PROGRAM</b>	55,540,225	9,807,525	45,592,700		140,000		
<b>AVIATION</b>	21,839,511	5,766,122	16,073,389				
<b>RAIL</b>	48,746,831	15,690,849	30,641,237	218,745	2,196,000		
<b>CENTRAL GARAGE</b>	23,551,235						23,551,235
<b>TRANSPORTATION BUILDINGS</b>	2,825,000	2,825,000					
<b>Total "VTrans" Programs</b>	<b>776,514,864</b>	<b>276,815,720</b>	<b>451,714,677</b>	<b>5,620,596</b>	<b>4,085,717</b>	<b>14,726,719</b>	<b>23,551,235</b>
<b>TOWN HIGHWAY BRIDGES</b>	45,334,278		39,264,097	2,096,900		3,973,281	
<b>TH STRUCTURES</b>	8,016,000	8,016,000					
<b>TH CLASS 2 ROADWAY PROGRAM</b>	8,858,000	8,858,000					
<b>TH - NONFEDERAL DISASTERS</b>	1,150,000	1,150,000					
<b>TH - FEDERAL DISASTERS</b>	180,000	20,000	160,000				
<b>TH AID PROGRAM</b>	29,532,753	29,532,753					
<b>TH CLASS 1 SUPPLEMENTAL GRANTS</b>	128,750	128,750					
<b>TH VERMONT LOCAL ROADS</b>	481,452	121,452	360,000				
<b>MUNICIPAL MITIGATION ASSISTANCE PROGRAM</b>	7,143,000	715,000	1,428,000	5,000,000			
<b>TH PUBLIC ASSISTANCE GRANTS</b>	1,250,000	0	1,000,000	50,000	200,000		
<b>Total "Town Highway" Programs</b>	<b>102,074,233</b>	<b>48,541,955</b>	<b>42,212,097</b>	<b>7,146,900</b>	<b>200,000</b>	<b>3,973,281</b>	
<b>TRANSPORTATION BOARD</b>	200,097	200,097					
<b>TOTAL ADT PROGRAMS</b>	<b>878,789,194</b>	<b>325,557,772</b>	<b>493,926,974</b>	<b>12,767,496</b>	<b>4,285,717</b>	<b>18,700,000</b>	<b>23,551,235</b>
<b>One-Time Appropriations</b>	<b>All Funds</b>	<b>T-Fund</b>	<b>Federal</b>	<b>Local/Other</b>	<b>InterDept</b>	<b>TIB</b>	<b>Int Svc Fund</b>
E-Bike Grant Program	70,000	70,000					
EVSE Funding	1,700,000	1,700,000					
GMT Funding	630,000	630,000					
<b>TOTAL ONE-TIME APPROPRIATIONS</b>	<b>2,400,000</b>	<b>2,400,000</b>					
<b>Transportation Fund Appropriations Not In AOT Budget or T-Bill</b>							
Approp from TF to BGS for Info Center Operations	4,292,149						
JTOC Appropriation to DPS	20,250,000						
Pay Act	2,500,000						
<b>TOTAL OTHER TF APPROPRIATIONS</b>	<b>27,042,149</b>						
<b>Other Transfers and Adjustments to Transportation Fund</b>							
<b>Revenue (Into) TF</b>							
From the CFCEI to TF	(25,000,000)						
From Other Funds to TF	(140,000)						
From Central Garage Fund to TF	(1,100,000)						
<b>Transfers from TF</b>							
Transfer from TF for transp-related debt service	316,745						
Transfer from TF to Downtown Fund	523,966						
Transfer from TF to Rec Trails Fund (10 VSA 446)	370,000						
Transfer from TF to Central Garage (19 VSA 13)	0						
Transfer from TF to Stabilization Reserve	1,753,319						
<b>TOTAL NET TRANSFERS</b>	<b>(23,275,970)</b>						

Logan Mobarry 5/5/2024 JFO

**Act No. 149 (H.871). An act relating to the development of an updated State aid to school construction program**

**Subjects: Education; school construction; facilities; grant program**

This act takes several steps towards updating the State's school construction program, including the following:

- Sec. 1 of this act creates the Facilities Master Plan Grant Program to support the development of educational facilities master plans with the goal of supervisory unions developing a final master plan that complies with State construction aid requirements. The Agency of Education will administer the Grant Program as well as develop a prioritization formula based on an applicant's poverty factor and average facilities condition index score, with award amounts commensurate with gross square footage of buildings within the applicable supervisory union. The Agency is also required to report to the General Assembly annually, on or before December 31, with information on the implementation of the Grant Program. The Grant Program will run for five years, with Sec. 2 of this act prospectively repealing Sec. 1 on June 30, 2029.
- Sec. 3 of this act requires the Agency of Education to coordinate with the Department of Buildings and General Services to develop prequalification criteria for firms specializing in kindergarten-through-grade-12 school design and construction.
- Sec. 4 of this act creates the State Aid for School Construction Working Group to study and design a recommended plan for a statewide school construction aid program. The Working Group is composed of three members of the House, three members of the Senate, and the Secretary of Education or designee. Sec. 4 requires the Working Group to consider and make recommendations on certain topics and consult with certain groups. The Working Group shall meet not more than six times, unless additional meetings are jointly authorized by the Speaker of the House and President Pro Tempore, and it shall cease to exist on December 31, 2024. Final findings and recommendations shall be submitted to the General Assembly on or before December 15, 2024, in the form of proposed legislation.
- Sec. 6 amends 16 V.S.A. § 559 (b) to raise the threshold for what is considered a "high-cost construction contract." Current law requires that if a school construction contract exceeds \$500,000.00, a school board needs to publicly advertise for bids. This section raises the threshold at which there would be a need to advertise for bids to \$2,000,000.00. This section also amends current law to allow school boards to choose from among three or fewer lowest responsible bids. Current law requires at



least three bids. This change would allow a school board to choose from fewer than three bids.

Effective Date: July 1, 2024

**Act No. 150 (S.220). An act relating to Vermont's public libraries**

**Subjects: Miscellaneous amendments; libraries; libraries, history, and information technology**

This act makes several amendments to the laws governing public and school libraries, including the following:

- Sec. 1 of this act amends 22 V.S.A. § 67 by adding a policy statement that states it is necessary for the governing bodies and managers of free public libraries to adopt policies that comply with the First Amendment and State and federal civil rights and antidiscrimination laws to ensure Vermont libraries protect and promote principles of free speech, inquiry, discover, and public accommodation.
- Sec. 2 of this act adds a new section to the Free Public Library Service chapter in Title 22 that requires all public libraries to adopt material selection policies and procedures for the reconsideration and retention of library materials that comply with the First Amendment, the Civil Rights Act of 1964, State laws prohibiting discrimination in places of public accommodation, and that reflect Vermont's diverse people and history, including diversity of race, ethnicity, sex, gender identity, sexual orientation, disability status, religion, and political beliefs.
- Sec. 3 of this act amends the age up to which custodial parents or guardians have access to their child's library records from age 16 to 12. Under this amendment, parents will have access to their child's library records if the child is under 12 years of age.
- Sec. 4 of this act amends 13 V.S.A. § 1702, the criminal threatening statute in Title 13. It adds public libraries to the list of places where, if conduct that constitutes criminal threatening occurs, the criminal penalty for such conduct is augmented.
- Sec. 5 of this act amends the general powers section for public libraries that are not municipal libraries by specifically enumerating some of the powers of the trustees, managers, or directors of the library.
- Sec. 6 of this act specifies that a municipal library director shall be under the supervision and control of the library board of trustees unless another relationship is otherwise specified in the municipality's charter or other

written agreement between the trustees and municipality. This section also amends the powers of the trustees for a municipal library by specifically enumerating some of the powers of the trustees.

- Sec. 7 of this act amends the duties and functions of the State Department of Libraries.
- Sec. 7a of this act establishes a requirement for each school board and each approved independent school to develop, adopt, and ensure enforcement of a library material selection policy and procedures for the reconsideration and retention of materials that affirms the importance of intellectual freedom, guided by the First Amendment, the Civil Rights Act of 1964, Vermont laws prohibiting discrimination in places of public accommodation, the American Library Association's Freedom to Read Statement, Vermont's Freedom to Read Statement, and that reflect Vermont's diverse people and history, including diversity of race, ethnicity, sex, gender identity, sexual orientation, disability status, religion, and political beliefs.

Multiple effective dates, beginning on July 1, 2024

**Act No. 151 (S.253). An act relating to building energy codes**

**Subjects: Public service; building energy; residential building energy codes; commercial building energy codes**

This act establishes the Building Energy Code Working Group to recommend strategies to increase awareness of and compliance with the Residential Building Energy Standards (RBES) and the Commercial Building Energy Standards (CBES). The act also allows the RBES and the CBES to be updated by the Commissioner of Public Service when it is timely and appropriate. It also directs the Office of Professional Regulation to ask for additional information from residential building contractors when they register, acknowledge that contractors must comply with the RBES and CBES, and update any contract templates the Office provides to state that projects must comply with the RBES.

Effective Date: June 3, 2024

**Act No. 152 (S.254). An act relating to including rechargeable batteries and battery-containing products under the State battery stewardship program**

**Subjects: Conservation and development; waste management; extended producer responsibility; batteries; battery-containing products**

This act amends the existing Battery Stewardship Program at the Agency of Natural Resources (ANR) by expanding the Program to require producers of rechargeable batteries and battery-containing products to participate in the Program. A “battery-containing-product” is defined as an electronic product that contains primary or rechargeable batteries that are easily removable or is packaged with rechargeable or primary batteries. A “battery-containing product” does not mean a product subject to the State covered electronic device collection program or to a product in which the batteries used are already covered under the Battery Stewardship Program. The act also increases the size of covered primary batteries subject to the Program from a maximum of 4.4 pounds to a maximum of 25 pounds.

Under the act, the sale of rechargeable batteries or battery-containing products would be prohibited beginning on January 1, 2026, unless the producer of the rechargeable battery or battery-containing product is participating in the Battery Stewardship Program. Similarly, the act bans the landfill disposal of rechargeable batteries and primary batteries beginning on July 1, 2024. The act also makes multiple amendments to the requirements of the Battery Stewardship Program, including amendments to the required components of the required collection plan. In addition, the act requires ANR to complete an assessment of the opportunities, challenges, and feasibility of mandatory end-of-life management programs for batteries used in hybrid and electric vehicles, battery energy storage systems, and batteries that are not easily removable from the products they power.

The act also extends from January 1, 2025, to July 1, 2025, the deadline by which manufacturers of household hazardous products are required to register a stewardship organization under the extended producer responsibility program for household hazardous products. In addition, the act provides ANR with statutory authority to implement administrative use controls at sites with hazardous material contamination.

Multiple effective dates, beginning on July 1, 2024

**Act No. 153 (H.614). An act relating to land improvement fraud and timber trespass**

**Subjects: Consumer protection; crimes; land improvement fraud; timber trespass**

This act adds land improvement services to the existing statute that prohibits home improvement fraud. The act defines land improvement services generally as work on a property separate from a building on the parcel, including construction of driveways, site work, limbing or pruning of trees, removal of trees, and forestry operations. The act also provides that home improvement or

land improvement fraud occurs when a contractor fails to pay a property owner under a contract, such as when they fail to pay an owner the value of harvested trees. The act increases to \$1,000.00 the value of a contract that triggers home improvement or land improvement fraud. The act also requires the Attorney General to include on the Home Improvement and Land Improvement Fraud Registry whether a violator has posted financial surety allowing the violator to continue to provide services. The act also increases the financial bond or surety requirement for violators subject to the surety requirements from \$50,000.00 to \$250,000.00.

The act amends the statutes related to the crime of timber trespass to require a person convicted of two or more violations of timber trespass or subject to two or more civil judgements to post financial surety of not less than \$250,000.00 with the Attorney General if the person is going to continue to operate as a business. A violator who does not post financial surety can continue to work in the field but only for a person or company that is not a family member, household member, or business associate. The act also provides that if a violator of timber trespass laws fails to post the required bond or fails to inform the Attorney General of working for another business, the person would be subject to a penalty of up to two years imprisonment or a fine of not more than \$1,000.00 or both.

The act requires a person who is convicted of timber trespass to notify the Attorney General and also requires the courts to notify the Attorney General of the violation. The Attorney General must place the person's name on the Home Improvement and Land Improvement Fraud Registry, including whether the person filed a surety bond or an irrevocable letter of credit. The act also provides that the bond and financial surety requirements for timber trespass apply prospectively and do not apply to convictions or civil judgments that occurred before the effective date of the act.

The act requires the Attorney General to submit to the General Assembly a report regarding the current enforcement of timber trespass in the State and potential methods of improving enforcement.

Effective Date: July 1, 2024

**Act No. 154 (H.661). An act relating to child abuse and neglect investigation and substantiation standards and procedures**

**Subjects: Human services; Child Protection Registry; child and family welfare; investigations**

This act modernizes the Department for Children and Families (DCF) investigation and substantiations standards and procedures when handling

complaints related to child abuse and neglect allegations. Specifically, this act raises the evidentiary standards to substantiate an allegation to a preponderance of the evidence standard and enhances timelines to respond to investigation and substantiation reviews. Additionally, the act requires DCF to use best efforts to obtain the person's current mailing and email address so that it can better effectuate investigation, substantiation, review, and appeal notifications, as well as maintaining records of any such notifications. The act also aims to ensure broader disclosure of records to individuals requesting reviews or appeals. Further, administrative reviews may be held electronically upon request or during a declared state of emergency. The act also mandates the adoption of rules related to placement on the Child Protection Registry (Registry), standards for determining child protection level designations, and for notice and appeal procedures for alternatives to conduct substantiation. Finally, the act requires DCF to author reports creating a model policy related to confidentially storing child abuse and neglect investigation interviews and related to substantiation determinations, categories, and thresholds for Registry placement.

Effective Date: September 1, 2024

**Act No. 155 (H.704). An act relating to disclosure of compensation in job advertisements**

**Subjects: Labor; employment practices; fair employment practices; job openings; disclosure of compensation**

This act requires most written job advertisements to include certain information regarding the type and range of monetary compensation that an employer expects to offer. The act also requires the Attorney General's Office to publish guidance on the law's requirements for both employers and employees.

Effective Date: July 1, 2025.

**Act No. 156 (H.867). An act relating to miscellaneous amendments to the laws governing alcoholic beverages and the Board of Liquor and Lottery**

**Subjects: Alcoholic beverages; miscellaneous amendments; lottery**

This act makes various amendments to Vermont's alcoholic beverage laws to:

- permit all retail establishments to obtain a special venue serving permit during the period from July 1, 2024, through July 1, 2026;
- permit sampling event permit holders to purchase beverages from licensed wholesale dealers;

- increase from 10 to 20 the number of special events permits that a licensed manufacturer or rectifier may obtain during a calendar year;
- change the date for submission of the Department of Liquor and Lottery's annual lottery report from January 10 to March 10;
- delay the requirement for establishments that are licensed to serve alcohol for on-premises consumption to obtain liability insurance from July 1, 2024, to July 1, 2026;
- require the Department of Liquor and Lottery to report on or before December 15, 2024 on the creation of a license to allow a parent company of two or more licensed manufacturers or retailers to provide unified payroll and administrative services for the licensees, including an appropriate fee for the license; and
- require the Department of Liquor and Lottery to report on or before January 15, 2025, regarding the placement of beverage alcohol products in licensed retail establishments.

Multiple effective dates, beginning on June 4, 2024

**Act No. 157 (H.622). An act relating to emergency medical services**

**Subjects: Medicaid; health; emergency medical services; ambulance services**

This act directs the Commissioner of Health to prioritize the use of funds from the Emergency Medical Services Special Fund to programs offering basic emergency medical services (EMS) training at low or no cost to participants and to make reasonable efforts to award grants in a way that supports geographic equity among the EMS districts. It requires the Agency of Human Services (AHS), to the extent permitted under federal law, to reimburse EMS providers at the Medicare basic life support rate for delivering emergency medical services to a Medicaid beneficiary who was treated but was not transported. The act appropriates \$74,000.00 in State and federal dollars in fiscal year 2025 for the enhanced reimbursement rate. The act also requires AHS to report annually as part of its budget presentation on what it would cost to reimburse EMS providers at Medicare rates for all emergency medical services they deliver to Medicaid beneficiaries.

The act modifies the EMS Advisory Committee's annual report requirement to focus on developing and maintaining a five-year statewide plan, to be updated at least annually, for the coordinated delivery of emergency medical services in Vermont and to report annually on the Committee's progress on achieving the goals in the plan and the Committee's goals for the coming year. The act also

directs the EMS Advisory Committee to conduct an inventory and assessment of EMS services currently available in Vermont by December 15, 2025, and to provide recommendations for the design of a statewide EMS system by December 15, 2026. It appropriates \$150,000.00 from the EMS Special Fund in fiscal year 2025 to support the EMS Advisory Committee's work, with up to an additional \$220,000.00 available if there are unobligated funds remaining in the Special Fund in fiscal year 2025. The act also increases the total amount of annual funding assessed across property and casualty insurers to support the Fire Safety Special Fund by \$300,000.00, with the increased amount directed to the EMS Special Fund.

Multiple effective dates, beginning on June 6, 2024

**Act No. 158 (H.870). An act relating to professions and occupations regulated by the Office of Professional Regulation**

**Subjects: Professions and occupations**

This act makes miscellaneous changes to statutes regulating certain professions and occupations under the charge of the Office of Professional Regulation ("OPR").

General Provisions of the Office of Professional Regulation

Sec. 1 amends 3 V.S.A. § 127 (unauthorized practice) so that funds derived from civil penalties for violations involving the unauthorized practice of regulated professions, which are deposited in the Professional Regulatory Fund, no longer need to be expended only on "providing education and training for board members and advisor appointees."

Sec. 1a amends 3 V.S.A. § 123 (duties of office), allowing OPR to inquire into the criminal background histories for psychologist license applicants.

Sec. 2 amends 3 V.S.A. § 129a (unprofessional conduct) to include 'impeding an inspection' in what constitutes "unprofessional conduct."

Naturopathic Physicians Filing of Birth and Death Certificates

Sec. 2a amends 18 V.S.A. § 4999 (definitions), enabling naturopathic physicians to sign death certificates.

Sec. 2b amends 18 V.S.A. § 5071 (birth certificates; who to make; return), enabling naturopathic physicians to file a report of birth.

Naturopathic Physicians Filing Technical Advisory Group

Sec. 2c creates the Naturopathic Physicians Technical Advisory Group to discuss the potential integration of naturopathic physicians into statewide policies regarding Vermont’s Patient Choice at End of Life laws (18 V.S.A. chapter 113), do not resuscitate (DNR) orders and advanced directives, and the creation of clinician orders for life-sustaining treatment (COLST). The Technical Advisory Group shall also consider the requirements of integrating naturopathic physicians into statewide policies.

### Barbers and Cosmetologists

In general, Secs. 3–8 amend statutes regulating barbering and cosmetology so that “esthetics and manicuring” are included as well.

Sec. 3 amends 26 V.S.A. § 271 (definitions) the definition of “esthetics,” and specifically excludes: “any practice, activity, or treatment that constitutes the practice of medicine . . . including injections of any substance and the use of lasers; or the application of permanent cosmetics.” The definition of “shop” is also modified to be “a facility or facilities regularly used to offer or provide barbering, cosmetology, esthetics, or manicuring.”

Sec. 4 amends 26 V.S.A. § 272 (prohibitions; offenses) so that a person may not practice esthetics and manicuring without a license, like barbering or cosmetology. Similarly, a person cannot let this occur in their shop.

Sec. 5 amends 26 V.S.A. § 276 (general powers and duties of the director) so that the Director of OPR shall adopt rules for the sanitary and safety standards for shops and practice of esthetics and manicuring without a license, like barbering or cosmetology.

Sec. 6 amends 26 V.S.A. § 282 (shop; license) so that the practice of esthetics and manicuring may only be permitted in licensed shops, like barbering or cosmetology.

Sec. 7 amends 26 V.S.A. § 283 (examination) so that licensing examinations be in whatever form approved by the OPR Director rather than necessarily be “both practical demonstrations and written or oral tests.”

Sec. 8 amends 26 V.S.A. § 284 (issuance of license) so that shops offering esthetics and manicuring that have paid their fees and are in compliance with OPR rules shall be issued a license, like barbering or cosmetology shops.

### Nursing

Sec. 9 modifies the placement of subchapter titles concerning nursing statutes, so the chapter (26 V.S.A. chapter 28 (nursing)) is amended as a whole. Sections 1622–1628 are moved from subchapter 4 (nursing assistants) to



subchapter 3 (registered nurses and practical nurses). It will be clearer that statutes regarding licensure examination, endorsement, and renewal apply to both registered nurses and practical nurses. Sec. 9 also creates consistency in terminology by changing “active practice requirements” to “continued competency requirements.”

### Osteopathy

Sec. 10 amends 26 V.S.A. § 1753 (exemptions) so that enrolled osteopathy students may practice in supervised clinical training programs.

### Radiology

Sec. 11 amends 26 V.S.A. § 2801 (definitions) so that “holders of limited temporary licenses to practice medicine” are included as regulated licensed radiology practitioners.

Sec. 12 amends 26 V.S.A. § 2803 (exemptions) so that “holders of limited temporary licenses to practice medicine” are not prohibited from practicing radiology.

### Tattooists and Body Piercers

In general, Secs. 13–17 amend statutes regulating tattooing and body piercing so that “permanent cosmetics” are included as well.

Sec. 13 amends 26 V.S.A. § 4101 (definitions) to remove definitions for “disciplinary action” and “special panel,” and to modify the definition of “shop” to include the practice of permanent cosmetics. Note: An administrative law officer could still take disciplinary action against a licensed electrologist or applicant, pursuant to 26 V.S.A. § 4411 and 3 V.S.A. § 129.

Sec. 14 amends 26 V.S.A. § 4103 (Director; function; Commissioner of Health; rules) so that the Director of OPR may adopt rules pertaining to tattooist, body piercer, and permanent cosmetologist apprenticeships and shops.

Sec. 15 amends 26 V.S.A. § 4104 (advisor appointees) so that the Secretary of State will appoint three advisors, which shall include one licensed operator practicing tattooing, one licensed operator practicing body piercing, and one licensed operator practicing permanent cosmetics.

Sec. 16 amends 26 V.S.A. § 4105 (license requirements) so that the OPR Director may adopt rules to require additional information to prove completion of an apprenticeship for tattooists, body piercers, and permanent cosmetologists. Subsection (d) is modified so that all shops shall designate a supervisor who is at least one of the professions being practiced in the shop, be

it tattooing, body piercing, or permanent cosmetics, rather than a designee from each category. Subdivision (d)(4) permits stand-alone licensed permanent cosmetic shops and cosmetology shops to practice permanent cosmetics. Subdivision (d)(6) requires shops to notify OPR of any location changes, which may trigger a new inspection.

Sec. 17 amends 26 V.S.A. § 4108 (unprofessional conduct) removes from what constitutes unprofessional conduct “addiction to narcotics, habitual drunkenness, or rendering professional services to a client if the operator is intoxicated or under the influence of drugs.” It also removes subsection (c) regarding disciplinary action. But, again, an administrative law officer could still take disciplinary action against a licensee pursuant to 26 V.S.A. § 4411 and 3 V.S.A. § 129.

#### Electrologists

Sec. 18 amends 26 V.S.A. § 4402 (definitions), changing the definition of “electrology” and clarifying that the use of lasers is to be “solely for the purpose of hair removal” and excluding any practice, activity, or treatment that constitutes the practice of medicine (including injections and permanent cosmetics).

#### Office of Professional Regulation Funding Structure Study

Sec. 18a directs OPR to conduct a study reviewing the funding structure of their office and report to the General Assembly with an assessment of the benefits and challenges of the current funding model for the Office of Professional Regulation, as established in 3 V.S.A. § 124 (Professional Regulatory Fee Fund), and with any recommendations for alternative models for funding the Office of Professional Regulation.

Effective Date: June 6, 2024

### **Act No. 159 (H.876). An act relating to miscellaneous amendments to the corrections laws**

#### **Subjects: Corrections; earned time; medical care**

This act enhances procedures to assist with an individual’s reentry into the community from a Department of Corrections’ (the Department) correctional facility, as well as creating initiatives to reduce the incarcerative population, expand earned time programs, enhance approaches to family visitation in correctional facilities, and increase the Department’s hospital coverage staffing.

Specifically, this act requires the Department to provide offenders who are prescribed medication while incarcerated with not less than a 28-day supply of the medication and a prescription voucher to redeem within the community upon discharge, contingent on the medication's availability and appropriateness. Additionally, the Department is required to provide offenders who are prescribed medication for opioid use disorder a legally sufficient supply to ensure that the offender can continue taking the medication upon discharge with enough time to obtain the prescription in the community. In both circumstances, the Department must identify health care providers or substance use treatment programs and help with scheduling to continue care as part of the offender's reentry plan. The act also requires the Department to coordinate with the Department of Motor Vehicles to assist in the provision of a non-driver identification card upon discharge, as well as provide information on other forms of identification and driving privileges.

This act also charges the Joint Legislative Justice Oversight Committee to explore the expansion of the Department's earned time program to include parolees, as well as expanding the program to permit earned time for educational credits earned by both offenders and parolees. The act also creates the Family Friendly Visitation Study Committee to examine how the Department can facilitate greater family friendly visitation methods of all inmates who identify as partners, guardians, and parents with visitation rights.

Additionally, this act expresses the General Assembly's intent to eliminate Vermont's practice of housing inmates in privately operated, for-profit, or out-of-state correctional facilities by 2034. With that in mind, various arms of State government must collaborate and submit a report to committees of jurisdiction detailing methods to reduce the number of offenders and detainees in Vermont correctional facilities. Moreover, the act charges the Department and Department of Buildings and General Services to submit recommendations to committees of jurisdiction detailing the incorporation of modern reentry and transitional services to assist in obtaining housing, job opportunities, and other services to reintegrate into society, along with the recommended size of a new women's correctional facility, including the scope and quality of programming and services offered.

Finally, the General Assembly desires afford relief to probation and parole officers that provide emergency hospital coverage in addition to their own duties by having the Department present a plan to the committees of jurisdiction to address the attendant staffing issues in hospitals.

Effective Date: July 1, 2024

**Act No. 160 (H.877). An act relating to miscellaneous agricultural subjects**

**Subjects: Water quality; agriculture; fertilizer; weights and measures; pesticide certification**

The act amends the Farm Agronomic Practices Program at the Agency of Agriculture, Food and Markets (AAFM) to clarify how financial assistance will be provided under the Program, including for what practices assistance will be provided to agricultural service providers or to nonprofit organizations providing training. The act authorizes AAFM to use the uniform regulation for national type evaluation as a State standard for weights and measures. The act amends definitions related to regulation of contagious animal diseases for purposes of consistency in definitions across statute.

The act authorizes AAFM to allow for pesticide certification or licensing exams to be conducted electronically by a private vendor for a fee. The act clarifies that distribution of a fertilizer, a plant amendment, a plant biostimulant, a soil amendment, or lime regulated by AAFM includes sale through any means, including sales outlets, catalogues, the telephone, the internet, or any electronic means.

The act authorizes municipalities to regulate by means of an ordinance the control of livestock running at large. The act also updates the fines that may be assessed for livestock running at large and clarifies that the fines may be assessed per animal by a law enforcement officer or municipal officer.

The act amends the definition of hemp products under the agricultural hemp statutes to clarify that products that the Cannabis Control Board by rule designated as regulated cannabis products are not hemp products and that products containing more than 0.3 percent total tetrahydrocannabinol on a dry-weight basis are also not hemp products. The act also provides that a building that is used for outdoor cultivation of cannabis by a licensed person shall not be regulated as a public building if the licensee has fewer than the equivalent of 10 full-time employees who are not family members and who do not work more than 26 weeks a year.

Effective Date: July 1, 2024

**Act No. 161 (H.878). An act relating to miscellaneous judiciary procedures**

**Subjects: Criminal procedure; court procedure; miscellaneous amendments**

This act makes a number of changes to court and Judiciary procedures, including establishing the requirements for Judiciary-employed Court Security Officers; providing that sexual assault survivor's rights include the right to be informed of the status and location of the sexual assault evidence collection kit; repealing the Vermont statutes related to capital punishment, which have been

unconstitutional and unenforceable since 1972; permitting doctoral-level psychologists with training in forensic psychology to conduct the initial examination of a criminal defendant's competency to stand trial, and allowing the psychiatrist or psychologist to testify remotely in such proceedings; increasing the amount of the surcharge for criminal and civil violations that is paid to the Victim's Compensation Special Fund and the Domestic and Sexual Violence Special Fund; requiring a power of attorney to be accepted so long as it is properly executed, whether or not the statutory form is used, and making several technical revisions to the forms; clarifying that a witness is not necessary for the execution of a power of attorney; updating archaic language to make clear that a divorcing spouse rather than the court has the authority to decide whether to resume the spouse's prior name following a divorce; making the penalty structure for using false identification to purchase tobacco products the same as the structure when a person uses false identification to purchase alcohol; repealing outdated Vermont statutes governing the transfer of Congregational Church property in Vermont and authorizing congregational churches to transfer property in the same manner as other religious corporations; clarifying that annually a new allocation of not less than \$900,000 must be made from the Justice Reinvestment II line item of the Department of Corrections' budget to support justice reinvestment initiatives for the next fiscal year; repealing the sunset on the use of gun suppressors while hunting; regulating the flying of a drone over private property without permission from the property owner; providing that, after a property transfer tax is paid on an enhanced life estate deed, a request for return of the tax may be made at any time if the deed is subsequently revoked or modified; specifying that digitally created images may be prosecuted under the "Revenge Pornography" statute when they are disclosed without the consent of the person whose image has been altered; removing nonpayment of child support as grounds for termination of parental rights; prohibiting placing a camera or other surveillance device on private property with the intent to conduct surveillance on the person or the property unless prior written consent is obtained from the property owner; and making the penalties for trafficking crack cocaine the same as those for trafficking powdered cocaine.

Effective Date: June 6, 2024

**Act No. 162 (H.882). An act relating to capital construction and State bonding budget adjustment**

**Subjects: Capital construction; State bonding; budget adjustment**

This act adjusts the second year of the State's biennial capital budget for fiscal years 2024 and 2025, reallocates \$17,358,383.85 from prior capital

appropriations, and authorizes the State to issue \$5,247,838.90 of additional general obligation bonds that were previously appropriated but unissued. This act also reduces the amount of spending authorized in fiscal year 2024 from the Cash Fund for Capital Infrastructure and Other Essential Investments from \$39,845,000.00 to \$36,235,000.00 and authorizes spending in fiscal year 2025 from the Cash Fund for Capital Infrastructure and Other Essential Investments in the amount of \$9,550,000.00.

This act also:

Appropriations

Appropriates capital funds in the amount of \$130,606,224.00 over two years for capital construction projects, including the following appropriations:

- Eliminates the FY 2024 and 2025 appropriations of \$50,000.00 per fiscal year for replacement of State House historic finishes.
- Increases the FY 2025 appropriation for statewide major maintenance from \$8,500,000.00 to \$8,501,999.00.
- Increases the FY 2025 appropriation for statewide planning, reuse, and contingency from \$425,000.00 to \$455,000.00.
- Reduces the FY 2025 appropriation for the Middlesex Therapeutic Community Residence master plan, design, and decommissioning from \$400,000.00 to \$50,000.00.
- Reduces the FY 2025 appropriation for statewide R22 refrigerant phase out from \$1,000,000.00 to \$750,000.00.
- Appropriates \$75,000.00 in FY 2025 for the Art in State Buildings Program.
- Appropriates \$400,000.00 in FY 2025 for roof replacement at the Northwest State Correctional Facility.
- Appropriates \$100,000.00 in FY 2025 for the evaluation of potential future State use and the potential to deactivate or winterize buildings at the former Southeast State Correctional Facility.
- Increases the FY 2025 appropriation for planning, design, and construction of the booking expansion at the Northwest State Correctional Facility from \$2,500,000.00 to \$2,600,000.00.
- Increases the FY 2025 appropriation for statewide correctional facilities for HVAC systems planning, design, and construction for upgrades and replacements from \$700,000.00 to \$5,150,000.00.
- Appropriates \$822,000.00 in FY 2025 for statewide correctional facilities accessibility upgrades.
- Appropriates \$125,000.00 in FY 2025 for a feasibility study of a potential reentry facility for justice-involved men in South Burlington.

- Appropriates \$50,000.00 in FY 2025 for facility requirements review and construction of improvements at the River Valley Therapeutic Residence in Essex.
- Increases the FY 2025 appropriation to the Agency of Commerce and Community Development for major maintenance of statewide historic sites from \$500,000.00 to \$700,000.00.
- Reduces the FY 2024 appropriation to the Agency of Natural Resources for dam safety and hydrology projects from \$500,000.00 to \$275,000.00.
- Increases the FY 2025 appropriation to the Agency of Natural Resources for general infrastructure projects, including small-scale maintenance and rehabilitation of infrastructure, and improvements to buildings, including conservation camps from \$1,344,150.00 to \$2,114,000.00.
- Eliminates the FY 2025 appropriation of \$6,000,000.00 to the Agency of Natural Resources for clean water implementation projects.
- Appropriates \$550,000.00 in FY 2025 to the Agency of Agriculture, Food and Markets for water quality grants and contracts.
- Appropriates \$1,600,000.00 in FY 2025 to the Agency of Natural Resources for the Clean Water State/EPA Revolving Loan Fund match for the Water Pollution Control Fund.
- Appropriates \$3,300,000.00 in FY 2025 to the Agency of Natural Resources for municipal pollution control grants.
- Appropriates \$550,000.00 to the Agency of Natural Resources for forestry access roads, recreation access roads, and water quality improvements.
- Appropriates \$1,540,000.00 in FY 2025 for upgrades of mechanical systems and HVAC, life safety needs, and minor interior renovations at 5 Green Mountain Drive in Montpelier.
- Appropriates \$100,000.00 in FY 2025 to the Sergeant at Arms for the replacement of State House cafeteria furnishings.

This act also does the following:

Agency of Natural Resources

- Clarifies the authority of the Department of Environmental Conservation Facilities Engineering Section.
- Requires the Commissioner of Fish and Wildlife to report on the feasibility of continuing to operate the Salisbury Fish Hatchery after December 31, 2027, of transferring the production capacity of the Salisbury Fish Hatchery to the State's fish hatchery system, and

alternative options for replacing the Salisbury Fish Hatchery's production capacity.

Buildings and General Services (BGS)

- Directs BGS to deposit \$6,242,500.00 from the proceeds of the sale of 108 Cherry Street into the Property Management Revolving Fund and to deposit \$293,753.63 from the proceeds of the sale of 108 Cherry Street into the State Energy Revolving Fund.
- Delays the authorization for BGS to sell the former Williston State Police Barracks property until July 1, 2025.
- Increases the amount that the Commissioner of BGS may spend to acquire an option to purchase a property.
- Increases the amount that the Commissioner of BGS may transfer between projects authorized within different capital construction acts without obtaining prior approval from the Emergency Board.
- Increases the amount that the Commissioner of BGS may transfer from the contingency fund to cover a shortfall without obtaining prior approval from the Secretary of Administration.
- Requires that State property be sold for at least fair market value.
- Requires a report on a process for naming State buildings that are under the jurisdiction of BGS.
- Requires a report on the potential for transferring a portion of the former Southeast State Correctional Facility property to the Department of Fish and Wildlife for inclusion in an adjacent wildlife management area.
- Authorizes the transfer of a portion of the Southern State Correctional Facility Property to the Town of Springfield.
- Requires a report on the facility requirements related to incorporating the use of emergency involuntary procedures and involuntary medication at the River Valley secure residential recovery facility in Essex.
- Requires a report on the potential to repurpose the former Southeast State Correctional Facility for a State purpose and the potential for temporarily deactivating or winterizing the existing structures.
- Authorizes the Commissioner of BGS to enter into a long-term ground lease agreement at a below-market rate for the Department for



Children and Families Youth Short Term Stabilization and Treatment Center.

- Establishes the Special Committee on Capitol Complex Flood Recovery to review and recommend alterations to proposals for Capitol Complex flood recovery.
- Establishes the Special Committee on State House Improvements to review and approve a schematic design for improvements to the State House.

Human Services

- Requires a report on the proposed site location for replacement women's facilities by January 15, 2025.
- Provides contingent authority for BGS to purchase land for replacement women's facilities if a suitable State-owned property cannot be identified.
- Requires a report on the potential to reuse the site of the Chittenden Regional Correctional Facility for a men's reentry facility following the construction of new women's facilities.
- Requires a report on reentry and transitional services provided by the State, the recommended size and programming to be provided by a new women's correctional facility, and whether it is advisable to construct a men's reentry facility on the same site as the new women's facilities or at another location.

Judicial Branch

- Authorizes BGS to purchase land as needed to renovate or replace the Washington County Superior Courthouse in Barre.
- Sets forth the intent of the General Assembly to locate the offices of the Windsor County State's Attorney in the leased office space at 55 Railroad Row upon completion of the renovations to the Windsor County Superior Courthouse in White River Junction.

Effective Date: June 6, 2024

**Act No. 163 (S.186). An act relating to the systemic evaluation of recovery residences and recovery communities**

**Subjects: Human services; substance use disorder; recovery residences; recovery communities; systemic evaluation**

Sec. 1 of this act directs the Department of Health, in consultation with other State agencies and community partners to develop and recommend a certification program for recovery residences operating in the State that choose to obtain certification. It lists multiple elements that the proposed certification program must address, including establishing a grievance and review process for complaints against certified recovery residences; identifying distinct certification levels; and establishing policies and procedures related to resident rights. The Department of Health is directed to submit a report containing its recommended proposal and corresponding draft legislation to the General Assembly by January 15, 2025.

Sec. 2 of this act requires the Department of Health to complete an assessment of certified and noncertified recovery residences. The assessment shall include the creation of a comprehensive inventory of all recovery residences in the State. The Department of Health is directed to submit the results of the assessment to the General Assembly by December 15, 2025.

Sec. 3, effective July 1, 2024 through July 1, 2026, enables a recovery residence to immediately exit or transfer a resident if certain conditions are met. These conditions require that prior to any exit or transfer, the recovery residence has developed and adopted a residential agreement and obtained a resident's written consent, the resident violated the substance use policy in the residential agreement or engaged in acts of violence that threatened the health or safety of other residents, and the recovery residence provided or arranged for a stabilization bed or other alternative temporary housing.

Sec. 4, effective July 1, 2024 through July 1, 2026, directs data collection pertaining to recovery residence-initiated exits and transfers. The Department of Health is required to submit aggregated data to the General Assembly on February 1, 2025 and 2026.

Effective Date: July 1, 2024

**Act No. 164 (S.302). An act relating to public health outreach programs regarding dementia risk**

**Subjects: Human services; public health; dementia; outreach campaigns**

Sec. 1 of this act directs the Departments of Health, of Mental Health, and of Disabilities, Aging, and Independent Living to provide education on specific topics to health care providers and to increase public awareness about Alzheimer's

disease and other types of dementia as part of existing public health outreach programs.

Sec. 2 directs the Department of Health to provide a presentation to relevant standing committees of the General Assembly describing the public health impact of rare diseases in Vermont and the Department's role in addressing rare diseases statewide.

Effective Date: July 1, 2024

**Act No. 165 (S.309). An act relating to miscellaneous changes to laws related to the Department of Motor Vehicles, motor vehicles, and vessels**

**Subjects: Motor vehicles; law enforcement; registration; Department of Motor Vehicles; fire extinguishers; signal lamps; certificates of title; vessels; motorboats; car seats; child restraint systems; commercial driver's licenses; commercial learner's permits; transporters; all-surface vehicles; residents; low-number plates; weight limitations; sirens; motorboat numbering; record keeping; emergency warning lamps; masking violations; airbags; automobile supplemental restraint systems; tinted windows; veterans' license plates; vulnerable users**

This act amends the statutory definition of a transporter of motor vehicles to include persons who sell or exchange new or used motor vehicles but do not sell or exchange enough of them to meet the threshold to be a dealer. It also allows transporters to register with the Department of Motor Vehicles (DMV) by self-certifying that they have insurance and a Vermont business location, rather than requiring proof. The act allows for all-surface vehicles to have up to eight wheels and specifies how motor vehicle title records must be stored. The act allows temporary residents to register motor vehicles in Vermont under certain circumstances and allows low-number plates on trucks registered for less than 26,001 pounds. It addresses the return of prorated registration fees for registrations cancelled before the beginning of the second, third, fourth, and fifth years of a five-year registration fee, which applies to some trailers.

Beginning on July 1, 2026, the act allows for tinted windows in motor vehicles only if the visible light transmission through the window is not less than the level required under federal regulations for pleasure cars. The act expresses legislative intent that a vehicle with windows tinted in excess of the amended statute pose a danger to the operator, passengers, and other highway users and the vehicle should fail the annual safety inspection. The act requires the DMV to update its Periodic Inspection Manual to reflect the updated statute and legislative intent and directs the DMV, in consultation with the Department of Public Safety, to conduct

public outreach regarding window tinting to provide information on what will be permitted and prohibited beginning on July 1, 2026, under the amended statute and the Periodic Inspection Manual.

The act expresses legislative intent that the DMV should provide information on what is rust, for purposes of failing the annual safety inspection, to all certified inspection mechanics and that surface rust should not be sufficient for a motor vehicle to fail inspection because that rust does not cause diminished braking performance that prevents a motor vehicle from adequately stopping. The act requires the DMV to issue a clarifying administrative bulletin to all certified inspection mechanics that details the rejection criteria for rotors and drums in the Periodic Inspection Manual, explains the difference between surface rust and rust that is considerable for purposes of the rejection criteria, and provides information that an inspection mechanic must give to the owner of a motor vehicle that fails the annual safety inspection due to rusting on rotors and drums. It also requires that contact information for the DMV be included on all notices of failure issued by certified inspection mechanics. The act allows sirens and emergency warning lamps to be used on certain government owned motor vehicles without a permit but explicitly prohibits other motor vehicles from using blue lights and flashing lights in a color other than amber, with an exception for motorcycle headlamp modulation systems that meet federal standards.

The act modifies Vermont's child restraint system (commonly known as car seat) statutes to be more consistent with the American Academy of Pediatrics' 2018 Policy Statement, including requiring a child to be in a rear-facing car seat with a five-point harness until two years of age, then in a front-facing car seat with a five-point harness until five years of age or until the child meets the weight and height limit of the seat as set by the manufacturer, then in a booster seat until eight years of age. The act also requires any child under 18 years of age who is not required to be in a car seat or booster seat to be restrained with a safety belt and specifies that a child under 13 years of age must always, if practical, ride in the rear seat of a motor vehicle. The act requires the Department of Health to conduct a public outreach campaign to educate Vermonters on the changes in the law, the Policy Statement, and car seat safety.

The act amends the existing exemption from the certificate of title requirement vehicles that are more than 15 years old on January 1, 2024, to apply only as long as the vehicle has been registered in Vermont and has not had a change in ownership since January 1, 2024; this amendment is retroactive to January 1, 2024. The act modifies the requirements for carrying fire extinguishers on motorboats to align with federal law and adds a new allowance, pursuant to federal law, for previously approved fire extinguishers on a motorboat with a model year between 1953 and 2017 to continue to be used until they are no longer

in good and serviceable condition. The act requires that a motorboat in Vermont have a Vermont number once it has been in Vermont for more than 60 days, rather than 90 days, as required by federal law. It also updates Vermont law to align with a federal prohibition on states allowing anyone to mask or enter into a diversion program that would prevent a commercial learner's permit holder's or commercial driver's license holder's conviction for any violation other than parking, vehicle weight, or vehicle defect violations from appearing on the Commercial Driver's License Information System driver record.

The act maintains existing crime and criminal penalty provisions for knowingly installing, reinstalling, or causing to be installed or reinstalled an object in lieu of a vehicle airbag, but expands upon the prohibition to apply to the knowing manufacturing, importing, distributing, offering for sale, selling, leasing, transferring, installing, reinstalling, causing to be installed, or causing to be reinstalled a counterfeit automobile supplemental restraint component or a nonfunctional airbag or to the knowing installation or reinstallation as an automobile supplemental restraint system component anything that causes the diagnostic system for the motor vehicle to fail to warn the operator that an airbag is not installed or that a counterfeit automobile supplemental restraint system component or nonfunctional airbag is installed in the motor vehicle. The act requires licensed dealers to provide written disclosures to buyers of used motor vehicles about certain aspects of the vehicle's inspection history and status and to retain a signed record of the disclosure for two years after the transfer of ownership.

The act expresses legislative intent to properly honor veterans discharged or released from active service under conditions other than dishonorable and for the DMV and Vermont Office of Veterans' Affairs to jointly determine which specialty plates should be offered to veterans and to allow for new specialty plates for appropriate recognition under certain circumstances; the act amends relevant statutes on driver's licenses and license plates accordingly. The act also directs the DMV Commissioner to create a conservation plate for motorcycles. The act updates certain statutes relating to pedestrians, bicycle operators, and vulnerable users, including requiring at least four feet of clearance to pass a vulnerable user, eliminating the prohibition on walking along or on the roadway if sidewalks are provided, and directing the Agency of Transportation to study and report on "Idaho Stops" and other potential policy changes for bicycle operators and on appropriate updates to laws on the rights and responsibilities of vulnerable road users.

The act identifies potential dangers that plug-in electric vehicles (PEVs) pose to first responders and firefighters when responding to crashes that may involve a PEV. It requires the DMV to begin issuing PEV license plates not later than July

1, 2026, and to require all registered PEVs to display PEV plates not later than July 1, 2028. The act also directs the Community Justice Unit of the Office of the Attorney General to report on whether and how Vermont should create a distracted driving diversion program as an alternative to civil penalties and points for violations of the distracted driving laws, including texting while driving and using a handheld device.

Multiple effective dates, beginning on January 1, 2024

**Act No. 166 (H.612). An act relating to miscellaneous cannabis amendments**

**Subjects: Cannabis**

This act makes a number of changes to the regulation of adult-use and medical cannabis as managed by the Cannabis Control Board.

The act narrows the definition of “hemp-infused products” in Title 6 to exclude products infused with intoxicating quantities of THC or other synthetic cannabinoids. The General Assembly previously granted authority to the Board to regulate such products and this is a conforming change related to that authority.

The act permits a cannabis retailer to apply for a medical endorsement to allow the retailer to serve medical patients and their caregivers and directs the Board to adopt rules regarding the medical endorsement.

The act adds ulcerative colitis to the list of qualifying medical conditions for purposes of the Medical Cannabis Registry and extends the renewal period from one year to three years for patients with chronic pain. The act requires that patients who are under 21 years of age must have at least a three-month prior relationship with their health care provider, in the course of which the health care professional has completed a full assessment of the applicant’s medical history and current medical condition, including a personal physical examination. There are certain circumstances in which the three-month relationship can be waived.

The act directs the Cannabis Control Board to work in consultation with the Vermont Department of Health, the Vermont Medical Society, the Green Mountain Patients’ Alliance, the Cannabis Retailers Association of Vermont, and other interested parties to assess the efficacy of the Medical Cannabis Program in serving registered and prospective patients. The Board must provide recommendations regarding the Medical Cannabis Registry to the Senate Committee on Health and Welfare and the House Committee on Human Services on or before November 15, 2024.

The act allows outdoor cultivators to use existing farm buildings for basic cannabis drying and storage without having to bring them up to the full spectrum of commercial building codes under Title 20.

The act transfers \$500,000.00 from the Cannabis Regulation Fund to the Cannabis Business Development Fund and then from the Cannabis Business Development Fund to the Agency of Commerce and Community Development to fund technical assistance and provide loans and grants pursuant to 7 V.S.A. § 987.

The act directs the Cannabis Control Board to work in consultation with the Vermont Housing and Conservation Board, the Vermont Land Access and Opportunity Board, the Vermont Racial Justice Alliance, the Office of Racial Equity, and the Agency of Commerce and Community Development for the purpose of making recommendations to the General Assembly regarding a percentage of cannabis excise tax monies that should be appropriated to the Cannabis Business Development Fund for uses as provided pursuant to 7 V.S.A. § 987. The Cannabis Control Board will incorporate the recommendations into the Cannabis Social Equity Programs report required pursuant to 7 V.S.A. § 989.

The act permits a municipality, after consultation with the municipal cannabis control commission, if one exists, to adopt a bylaw identifying cannabis cultivation districts where the outdoor cultivation of cannabis is preferred within the municipality. Setbacks for cultivation are established for licensees within a cannabis cultivation district, outside of a cannabis cultivation district, and in municipalities that do not have zoning.

On or before December 15, 2024, the Cannabis Control Board is required to submit to the Senate Committees on Government Operations and on Economic Development, Housing and General Affairs and the House Committees on Government Operations and Military Affairs and on Commerce and Economic Development a report regarding the siting and licensing of outdoor cannabis cultivation.

Multiple effective dates, beginning on June 10, 2024

**Act No. 167 (H.626). An act relating to animal welfare**

**Subjects: Public safety; animal welfare; importation of animals; Division of Animal Welfare; animal shelters and animal rescue organizations**

This act establishes a Division of Animal Welfare at the Department of Public Safety. The Commissioner of Public Safety is required to appoint a Director of the Division. The Director must be qualified and have: professional experience in animal welfare laws; knowledge of stakeholders; and knowledge of animal welfare and cruelty issues. The Director shall develop a comprehensive plan for

the development, implementation, and enforcement of the State’s animal welfare laws. In developing the plan, the Director shall consult with other State agencies that respond to animal welfare complaints or with animal welfare responsibilities to quantify the amount of time State agency staff expend in fulfilling animal welfare responsibilities, including the costs to agencies of fulfilling the responsibilities. The Director shall be the only Division employee until the comprehensive plan is complete and the General Assembly enacts legislation, as needed, to implement the comprehensive plan. The act establishes the Animal Welfare Fund to fund the expenses incurred by the Division of Animal Welfare. A two-dollar surcharge on annual dog licenses issued in the State shall be deposited into the Animal Welfare Fund. In addition, the act amends the definition of “humane officer” under the animal cruelty statutes.

Multiple effective dates, beginning on July 1, 2024

**Act No. 168 (H.630). An act relating to improving access to high-quality education through community collaboration**

**Subjects: Education; counties; regional boards of cooperative education services; shared services; specialized education settings; shared purchasing**

Sec. 1 of this act contains several legislative findings regarding the need for and benefits of the collaborative provision of educational services and the community schools model.

Sec. 2 adds a new chapter 10 to Title 16 that governs the creation and operation of Boards of Cooperative Education Services (BOCES) to provide shared programs and services on a regional and statewide level. It creates requirements for the process for supervisory unions to form BOCES; articles of agreement; boards of directors; the powers of BOCES; financing, budgeting, and accounting practices; public reporting; and employment practices, including establishing BOCES as public employers. This section limits the number of BOCES to seven statewide and limits supervisory unions to membership in not more than one BOCES, but allows supervisory unions to seek services as a nonmember from other BOCES.

Sec. 3 requires supervisory unions to consider and vote on the desirability of establishing a BOCES on or before July 1, 2026. The Secretary of Education shall review the BOCES as they exist on or before July 1, 2028 and issue a report to the General Assembly on or before November 1, 2028 with information about the use and operation of BOCES.

Sec. 4 establishes the BOCES Start-up Grant Program, to be administered by the Agency of Education, to provide \$10,000.00 grants to newly formed BOCES



to be used for start-up costs. A total of \$70,000.00 is appropriated from the Education Fund for the Grant Program.

Secs. 5 through 11 of this act contain conforming amendments to include BOCES as a public employer in applicable retirement, labor relations, and healthcare statutes, as well as to include the formation of a BOCES in the enumerated duties of supervisory union boards.

Sec. 12 continues the community schools grant program that was created in 2021 Acts and Resolves No. 28.

Sec. 13 requires the Agency of Education, in consultation with the Department of Mental Health, to include certain additional information about the community schools structure in the Agency's report to the General Assembly about the community schools grant program.

Sec. 14 of this act appropriates \$1,000,000.00 from the Education Fund to the Agency of Education to fund the community schools program.

Effective Date: July 1, 2024

**Act No. 169 (H.780). An act relating to judicial nominations and appointments**

**Subjects: Judiciary; judicial nominations and appointments; Judicial Nominating Board**

This act makes several changes to the procedures for making judicial nominations and appointments when there is a judicial vacancy. The act expands the Judicial Nominating Board from 11 members to 12 members, with the new member being the Executive Director of Racial Equity or designee. The act requires a three-fourths majority voted by the Judicial Nominating Board in order for a candidate to be determined well qualified and submitted to the Governor for consideration. The act also requires the Board to consider the extent to which each candidate would contribute to a Judicial branch that has diverse backgrounds and a broad range of lived experience. The act maintains the requirement that candidates be Vermont residents who have practice law for at least 10 years, but permits those 10 years of practice to be in other jurisdictions so long as the candidate practiced in Vermont for at least 5 years immediately prior to the candidate's application.

Effective Date: July 1, 2024

**Act No. 170 (H.847). An act relating to peer support provider and peer recovery support specialist certification**

**Subjects: Certification; professions and occupations; peer support providers; peer recovery support specialists**

This act adds peer support providers and peer recovery support specialists as professions regulated by the Office of Professional Regulation (OPR). Sec. 2 authorizes OPR to inquire into the criminal background histories of applicants for initial certification and certificate renewal. Secs. 3 and 3a set the initial certification fee and the biennial renewal fee for peer support providers and peer recovery support specialists.

Sec. 4 of the act establishes a new chapter in Title 26 pertaining to the regulation of peer support providers and peer recovery support specialists. Specifically, it defines “peer support” and “recovery support services” among other terms; indicates that the work of noncertified peer support providers or noncertified peer recovery support specialists is not prohibited under the act; requires that an individual be certified if the individual calls themselves a certified peer support provider or certified peer recovery support specialist; establishes the duties of the Director of the Office of Professional Regulation under the chapter; establishes eligibility for certification; establishes eligibility to serve as an advisor to the Director; and articulates what constitutes unprofessional conduct for a peer support provider and peer recovery support specialist.

Sec. 5 requires the Director of the Office of Professional Regulation to adopt rules for the implementation of the chapter.

Multiple effective dates, beginning on June 10, 2024

**Act No. 171 (H.875). An act relating to the State Ethics Commission and the State Code of Ethics**

**Subjects: Executive; governmental ethics; State Ethics Commission; State Code of Ethics**

This act accomplishes three broad items: (1) modifies financial disclosure requirements for certain elected officers both running for and holding office and adds officials must file those disclosures; (2) expands the powers of the State Ethics Commission (the Commission), enabling it to investigate, hold hearings, and to issue nonbinding warnings, reprimands, and make nonbinding recommendations; and (3) creates a uniform Municipal Code of Ethics.

Candidate and In-Office Financial Disclosure Requirements

Sec. 1 amends 17 V.S.A. § 2414 (candidates for State and legislative office; disclosure form) requiring candidates for *county offices* to submit financial disclosure forms in addition to candidates for State offices and the General

Assembly. Here, “county office” means assistant judge of the Superior Court, high bailiff, judge of Probate, sheriff, and State’s Attorney. Candidates will now have to include in their financial disclosures certain information from the prior 12 months including sources of personal income of more than \$5,000 from an employer, certain business with the State if self-employed, membership and position on boards and commissions, loans that are not commercially reasonable, a description—but not amount—of controlled investments valued at \$25,000.00 or more, and the full name of the candidate’s spouse or domestic partner. This section will take effect on January 1, 2026.

Sec. 2 amends 3 V.S.A. § 1201 (definitions) by migrating the definitions of “conflict of interest” and “public servant” from other sections in the chapter. County officers (individuals holding the office of *high bailiff, sheriff, or State’s Attorney*) and State officers’ *deputies* (deputies of the Treasurer, Secretary of State, Auditor of Accounts, and Attorney General, in addition agency secretaries and deputies and department commissioners and deputies) will now have to file financial disclosures.

Sec. 2a repeals 24 V.S.A. § 314 (sheriffs; annual disclosure), the now-redundant disclosure requirements for only sheriffs.

Sec. 3 amends 3 V.S.A. § 1202 (State Code of Ethics; applicability) by migrating the definition of “public servants” to section § 1201.

Sec. 4 amends 3 V.S.A. § 1203 (conflict of interest; appearance of conflict of interest) by migrating the definition of “conflict of interest” to section § 1201.

Sec. 5 amends 3 V.S.A. § 1211 (Executive officers; annual disclosure) to require the same additional information to be disclosed for in-office Executive officers and county officers as candidates for those offices in Sec. 1, except “county office,” here, means the *high bailiff and State’s Attorney*.

Sec. 6 adds a new section, 17 V.S.A. § 2415 (failure to file; penalties), regarding penalties for candidates for State, county, and legislative offices who do not properly file their financial disclosures, amounting to \$10.00 for each day of delinquency, but not to exceed \$1,000.00 total.

#### Expansion of State Ethics Commission’s Powers

Sec. 7 amends 3 V.S.A. § 1221 (State Ethics Commission) subsection (a) to empower the State Ethics Commission to independently investigate and hold hearings regarding ethics complaints. This section will take effect on September 1, 2025.

Sec. 8 renames 3 V.S.A. § 1222 (Commission member prohibited conduct). This section will take effect on September 1, 2025.

Sec. 9 renames and amends 3 V.S.A. § 1223 (procedure for accepting and referring complaints). The Commission will now be able to receive and refer complaints made regarding violations of the Municipal Code of Ethics. This section will also require any entity receiving a referred complaint—excluding municipalities—to consult with the Commission regarding the application of the State Code of Ethics to facts presented in the complaint. This section will take effect on September 1, 2025.

Sec. 10 adds a new section, 3 V.S.A. § 1227 (investigations). It enables the Commission to investigate alleged unethical conduct occurring within the prior two years, with or without receiving a complaint. Investigations must conclude within six months and may result in an “investigation report” and subsequent Commission hearing if there is a reasonable basis to believe that the public servant’s conduct constitutes an unethical violation. Investigation and subsequent hearings may only be initiated by a majority of the Commission who have not recused themselves. This section will take effect on September 1, 2025.

Sec. 11 adds a new section, 3 V.S.A. § 1228 (hearings before the Commission). This enables the Commission to hold public hearings for the purpose of gathering evidence and testimony and making determinations. Both the public servant and any complainant will be afforded an opportunity to be heard at the hearing, present evidence, respond to evidence, and argue on all issues related to the alleged unethical misconduct. This section will take effect on September 1, 2025.

Sec. 12 adds a new section, 3 V.S.A. § 1229 (warnings; reprimands; recommended actions; agreements). This enables the Commission to issue warnings, reprimands, and recommended actions within 30 days after the last hearing, unless the Commission extends for good cause or pursuant to an agreement made between the Commission and the public servant. The Commission may enter into a “resolution agreement” with a public servant at any point in time before or during proceedings, which will pause any pending deadlines but require a three-month check-back to ensure compliance. This section will take effect on September 1, 2025.

Sec. 13 adds a new section, 3 V.S.A. § 1230 (procedure; rulemaking). This directs the Commission to adopt rules regarding procedural and evidentiary aspects of the Commission’s investigations and hearings. Two-thirds of the Commission’s members present and voting may waive the application of a rule. It also grants the Commission, the Executive Director, and the

Commission's legal counsel and investigators the power to issue subpoenas and administer oaths in connection with any investigation or hearing; provided, however, the Commission shall first request voluntary cooperation before issuing a subpoena, except in cases where there is reasonable suspicion that materials will not be produced in a timely manner. This section will take effect on July 1, 2025.

Sec. 14 adds a new section, 3 V.S.A. § 1231 (record; confidentiality). Public records relating to the Commission's handling of complaints, alleged unethical conduct, investigations, and proceedings are exempt from the Public Records Act and shall be kept confidential, *except*: (1) investigation reports a hearing is found to be warranted; (2) investigation reports relating to alleged unethical conduct determined to *not* warrant a hearing, if requested by the public servant; (3) evidence produced in the open and public portions of Commission hearings; (4) any warnings, reprimands, and recommendations issued by the Commission; (5) any summary of executed resolution agreements; and (6) any records, as determined by the Commission, that support a warning, reprimand, recommendation, or summary of an executed resolution agreement. This section will take effect on September 1, 2025.

Sec. 15 amends 3 V.S.A. § 1221 (State Ethics Commission) a second time to expand its membership from five to seven members, to include an additional two members, who shall be a former municipal officers. One to be appointed by the Speaker of the House, the other to be appointed by the Senate Committee on Committees.

Sec. 16 removes the requirement that the Commission's Executive Director be part-time. This permits the position to become full-time in the future if funds are appropriated to do so. The position will remain part-time for the time being.

Sec. 18 amends 3 V.S.A. § 1221(e), regarding meetings of the Ethics Commission, to correct a statutory cross-reference.

Sec. 19 renames 3 V.S.A. § 1226 (ethics data collection; Commission reports) and requires those entities to which the Commission refers complaints to report back annually with aggregate data on ethics complaints not submitted to the Commission, with the complaints separated by topic, and the disposition of those complaints, including any prosecution, enforcement action, or dismissal. Those reporting entities are the Office of the Attorney General and State's Attorneys' offices, the Department of Human Resources, the House and Senate Ethics Panels, the Judicial Conduct Board, the Professional Responsibility Board, and the Office of the State Court Administrator.

### Creation of Municipal Code of Ethics

Sec. 20 repeals 24 V.S.A. § 1984 (conflict of interest prohibition).

Sec. 21 repeals 24 V.S.A. § 2291 (enumeration of powers), subdivision (20).

Sec. 22 creates a new Chapter 60, titled “Municipal Code of Ethics,” in Title 24 (municipal and county government), which includes the new sections 1991–1998.

Section 1991 (definitions) defines important terms such as “conflict of interest” and “municipal officer.” Municipal officers include members of local legislative and quasi-judicial bodies, and certain enumerated local officers.

Section 1992 (conflicts of interest) in subsections (a) and (b) creates an affirmative duty for municipal officers to avoid conflicts of interest (and the *appearance* of conflicts of interest) and to recuse themselves, *unless* the officer determines there is “good cause” to proceed and notifies the legislative body of the town, city, or village with a written justification for proceeding.

Section 1993 (prohibited conduct) prohibits directing unethical conduct; preferential treatment; misuse of position; misuse of information; misuse of government resources; offering, soliciting, or accepting gifts (excluding legal campaign contributions); unauthorized commitments; and benefitting from contracts. Now, a municipal officer shall not benefit from any contract unless the benefit is not greater than that of other individuals generally affected by the contract; the contract is a contract for employment with the municipality; the contract was awarded via an open and public process of competitive bidding; or the total value of the contract is less than \$2,000.00.

Section 1994 (guidance and advisory opinions) replicates the guidance and advisory opinions section of the State Code of Ethics (3 V.S.A. § 1225) to enable the Executive Director of the State Ethics Commission may provide guidance and advisory opinions to *municipal officers* with respect to a municipal officer’s duties regarding the Municipal Code of Ethics and any other issue related to governmental ethics.

Section 1995 (ethics training) requires that, within 120 days after the election or appointment of a member of a legislative body or a quasi-judicial body, or a chief administrative officer, mayor, town or city manager, those individuals undergo ethics trainings, approved by the State Ethics Commission, and again thereafter every three years.

Section 1996 (duties of municipalities) requires municipalities to post the Municipal Code of Ethics and information on local investigation and enforcement procedures, track completed trainings, designate who should receive ethics complaints, initiate ethics complaints, track ethics complaints and the dispositions of these, and provide the State Ethics Commission with a summary of ethics complaints received and the disposition of these.

Section 1997 (enforcement and remedies) requires municipalities to adopt, by ordinance, rule, or personnel policy, procedures for the investigation of complaints that allege a municipal officer has violated the Municipal Code of Ethics and the enforcement in instances of substantiated complaints, including methods of enforcement and available remedies.

Section 1998 (whistleblower protection) replicates State employees protections to protect municipal employees from retaliation if they disclose any waste, fraud, abuse of authority, violations of law, or ethical violations to a relevant public body.

Section 1999 (municipal charters; supplemental ethics policies) permits municipalities to adopt additional ethics or personnel policies provided these are not in conflict with the new Chapter 60. It also specifies that Chapter 60 preempts conflicting provisions in any municipal charters.

Sec. 23 will require all currently employed municipal officers to complete two hours of ethics training, which may be either in person or online. The training will also include information on the State's Open Meeting Law and the State's Public Records Act, which shall be approved by the Secretary of State.

Multiple effective dates, beginning on June 10, 2024

**Act No. 172 (H.173). An act relating to prohibiting manipulating a child for the purpose of sexual contact**

**Subjects: Crimes; luring a child**

This act prohibits manipulation of a child for the purpose of sexual contact by amending the statutes pertaining to luring a child and sexual exploitation of a minor. The sexual exploitation of a minor statute is to address cases where the child is of the age to consent to sex (16 years of age), but the conduct is prohibited because of the relationship/age difference between the child and actor. So, for

purposes of manipulation, the luring statute will be used if the child is under 16 years of age and the exploitation statute used if child is 16 or 17 years of age.

Effective Date: July 1, 2024

**Act No. 173 (H.644). An act relating to access to records by individuals who were in foster care**

**Subjects: Human services; Department for Children and Families; child welfare services; records of abuse and neglect**

This act amends certain statutes governing access to records of abuse and neglect and juvenile justice proceedings. This act allows individuals to access these records, provided that the individual is the subject of the records sought by the request, 18 years of age or older, and was in foster care or subject to a juvenile judicial proceeding as a minor.

Effective Date: June 12, 2024

**Act No. 174 (H.655). An act relating to studies of policies and procedures regarding the sealing criminal history records**

**Subjects: Crimes and criminal procedures; sealing criminal history records**

This act directs the Chief Superior Judge, in consultation with the Attorney General, the Department of State's Attorneys and Sheriffs, the Office of the Defender General, and the Department of Corrections, to examine the laws and procedures of other states regarding petitionless sealing of criminal history records and to submit to the House and Senate Committees on Judiciary, on or before December 2, 2024, a recommendation to establish a mechanism for petitionless sealing and any resources required for the recommendation to be implemented.

Effective Date: June 12, 2024

**Act No. 175 (H.745). An act relating to the Vermont Parentage Act**

**Subjects: Parentage proceedings**

This act makes a number of small substantive and technical corrections to the parentage laws. Title 15C was enacted in 2018 as a comprehensive rewrite of the parentage laws and lawmakers planned to revisit the title five years after implementation to tweak the title based on practitioner experience. This act is the product of that review.



A few of the items addressed include:

- Permitting written or oral evidence of prebirth intent to parent a child through the use of assisted reproductive technology (ART).
- A process where an individual may proceed with ART while a divorce is pending.
- A directive that birth orders be ordered promptly in instances in which the child was conceived through ART and parentage is uncontested. Similarly, in cases of gestational carrier agreements, if parentage is uncontested and everyone is in agreement as to who the parents are, the court shall issue the parentage order promptly.
- Elimination of the requirements that intended parents of a child born via surrogacy submit to complete a medical evaluation and mental health consultation. Such individuals will be required to be provided with psychosocial education and counseling related to the gestational carrier agreement.

Effective Date: July 1, 2024

**Act No. 176 (H.10). An act relating to amending the Vermont Employment Growth Incentive Program**

**Subjects: Economic development; Vermont Economic Growth Incentive; sunset**

This act authorizes the Vermont Economic Development Authority to continue accepting and approving applications for a Vermont Employment Growth Incentive until January 1, 2027.

Effective Date: July 1, 2024

**Act No. 177 (H.279). An act relating to the Uniform Trust Decanting Act**

**Subjects: Trusts; Uniform Trust Decanting Act**

This act enacts the Uniform Trust Decanting Act in Vermont. Decanting, which means moving the assets of one trust into another trust, is already common practice during the course of administering a trust. The Uniform Trust Decanting Act provides clear and consistent statutory guidelines that apply when the assets of a trust are decanted into another trust.

Effective Date: July 1, 2024

**Act No. 178 (H.72). An act relating to a harm-reduction criminal justice response to drug use**

**Subjects: Crimes; health; human services; regulated drugs**

This act establishes statutory requirements for an overdose prevention center and provides limited criminal and civil immunity to those who use the services of a center and the individuals and entities who operate the center in accordance with rules adopted by the Department of Health. Among other services regarding harm reduction, an overdose prevention center provides a space, either at a fixed location or a mobile facility, supervised by health care professionals or other trained staff where persons who use drugs can consume preobtained drugs and medication for substance use disorder.

The act appropriates in FY 25 \$1,100,000.00 to the Department of Health from the Opioid Abatement Special Fund for the purpose of awarding grants to the City of Burlington for establishing an overdose prevention center upon submission of a grant proposal that has been approved by the Burlington City Council and meets the requirements of 18 V.S.A. § 4256, including the guidelines developed by the Department of Health. The Department of Health is required to report on or before October 1, 2024, January 1, 2025, April 1, 2025, and July 1, 2025, to the Joint Fiscal Committee and the Joint Health Reform Oversight Committee regarding the status of distribution of the grants to Burlington.

On or before December 1, 2024, the Department of Health is directed to contract with a researcher or independent consulting entity with expertise in the field of rural addiction or overdose prevention centers, or both, to study the impact of the overdose prevention center pilot program authorized in Sec. 2 of this act. The study shall evaluate the current impacts of the overdose crisis in Vermont, as well as any changes up to four years following the implementation of the overdose prevention center pilot program. The study is funded in FY 25 with a \$300,000.00 appropriation to the Department of Health from the Opioid Abatement Special Fund.

Effective Date: June 17, 2024

**Act No. 179 (H.289). An act relating to the Renewable Energy Standard**

**Subjects: Energy; public service; renewable energy programs; Renewable Energy Standard**

This act increases the amount of total renewable energy electric utilities are required to purchase pursuant to the Renewable Energy Standard (RES) to 100 percent on or before January 1, 2035, depending on the type of utility. The act also increases from two percent to three percent the rates that municipal utilities

and electric cooperatives can increase without going to the Public Utility Commission. It also changes the definitions of net metering and group net metering so that in 2025, no new group net metering can be added unless it is adjacent to the property, with a one-year delay for affordable housing developments. It creates two new Tiers in the RES: Tier 4 (new regional renewable energy) and Tier 5 (load growth). It consolidates RES reporting requirements into the Comprehensive Energy Plan.

Effective Date: July 1, 2024

**Act No. 180 (H.645). An act relating to the expansion of approaches to restorative justice**

**Subjects: Criminal procedure; crimes; restorative justice**

This act creates Pre-Charge Diversion Programs for both juvenile and adult offenders, as well as streamlines the statutes for the diversion programs already in operation, which are now referred to as Post-Charge Diversion. This act also creates a Post-Adjudication Reparative Program Working Group to study connecting appropriate community-based providers to individuals who are sentenced to reparative boards or probation. Additionally, there are various reports required to examine stable funding structures and State administration to support community-based restorative justice providers; record retention and deletion requirements for diversion programs; and funding alternatives for community-based diversion referrals.

Specifically, the Pre-Charge Diversion Programs are administered by the Office of the Attorney General and permit direct referrals from law enforcement or a prosecutor to diversion when either determines that probable cause exists of a person's wrongdoing, but the person has yet to be criminally charged or a petition is filed in family court. Each county's State's Attorney must adopt a public-facing pre-charge diversion policy outlining various eligibility criteria, required documentation, and other procedures. The Pre-Charge Diversion Programs have various rights and responsibilities of participants and victims alike, including the right to access counsel at public expense for the candidate and the right to certain diversion information made available to the victim. Successful completion of the Pre-Charge Diversion Program leads to record of the underlying incident being deleted if certain requirements are met. The Attorney General is also responsible for maintaining an index of cases and funding the community-based restorative justice providers involved. Post-Charge Diversion remains the same except expungement no longer requires the court to be satisfied that the person has been rehabilitated.

Multiple effective dates, beginning on July 1, 2024

**Act No. 181 (H.687). An act relating to community resilience and biodiversity protection through land use**

**Subjects: Land use; conservation and development; Act 250; Natural Resources Board; municipal zoning; State Designation Program; property transfer tax; education property tax; municipal property tax; housing**

This act makes multiple changes to laws related to land use and housing.

This act renames the Natural Resources Board to the Land Use Review Board, changes it to have five full-time members appointed by the Land Use Review Board Nominating Committee, and gives it the authority to review regional plans and maps and approve areas for Tier 1A status under the new Act 250 Tier system.

Under Act 250, it creates a new Act 250 criterion for forest blocks and habitat connectors, lowers the amount of required mitigation for primary agricultural soils for wood products manufacturers to 1:1 protected to affected acres, amends the definition of accessory on-farm business and creates an Act 250 exemption for those businesses, and creates a new Act 250 jurisdictional trigger for the construction of roads.

The act creates a new system for determining Act 250 jurisdiction over a project based on the project location's features. The new system will use "Tiers," with the Land Use Review Board approving municipal applications for Tier 1, adopting rules related to Tier 3, and studying what changes are needed for Tier 2. The act exempts certain housing developments from Act 250 temporarily while the Tiers are developed.

The act delays by two years the due dates for the environmental justice work required under existing law.

The act directs the regional planning commissions to update the regional plans and maps to include new land use categories. The new plans and maps will be used as part of the Act 250 Tier system.

This act makes multiple changes to the municipal zoning laws on issues including density, parking, and appeals of permits.

This act renames the Municipal and Regional Planning Fund to the Municipal and Regional Planning and Resilience Fund and allows grants from the Fund to be spent on resilience planning, including flood protection and climate resilience.

This act updates the State Designated Areas Program by renaming it to the Vermont Community Investment Program, updating the requirements for

designation of an area, changing some of the incentives associated with the designations, and changing the authority for designating areas to the Land Use Review Board. It changes the title of the State Downtown Development Board to the Vermont Community Investment Board and changes its duties.

This act increases the code improvement tax credit from \$50,000.00 to \$100,000.00 and the flood mitigation tax credit from \$75,000.00 to \$100,000.00 under the Downtown and Village Center Tax Credit Program.

This act imposes a new property transfer tax rate of 3.4 percent on residential property that is used as a second home and makes various updates to the property transfer tax, including the creation of some new exemptions. It also creates an education property tax exemption to freeze property values of certain newly constructed and rehabilitated principal residences.

The act makes a number of changes to State housing programs, including amending the Vermont Rental Housing Improvement Program to incentivize accessibility improvements. It creates the new Resident Services Program. It also appropriates funds to the First-Generation Homebuyer Program, the Land Access and Opportunity Board, the Manufactured Home Improvement and Repair Program, and several eviction prevention initiatives.

This act requires the Department of Housing and Community Development to publish a housing accountability report on an annual basis through 2030.

This act imposes additional rental data collection requirements through the landlord certificate for use in emergency management and statewide housing needs assessments and requires additional safety disclosures for short-term rentals. This act imposes new flood risk disclosure requirements for both real estate and residential rental units, including mobile homes and mobile home parks.

This act grants the Vermont Housing and Conservation Board an assignable right of first refusal for privately owned age-restricted properties and requires owners of privately owned age-restricted properties to provide notice of rent increases.

This act tasks the Department of Housing and Community Development and the Vermont League of Cities and Towns with reporting on land banks. It tasks the State Treasurer's office with developing a pilot program for positive rent payment credit reporting. It also creates a legislative study committee to study landlord-tenant laws and evictions processes.

Multiple effective dates, beginning on June 17, 2024

**Act No. 182 (H.706). An act relating to banning the use of neonicotinoid pesticides**

**Subjects: Agriculture; pesticides; neonicotinoid pesticides; prohibition on use**

The act prohibits a person, beginning January 1, 2029, from selling, offering for sale or use, distributing, or using any neonicotinoid treated article seed for soybeans or for any crop in the cereal grains crop group. The Agency of Agriculture, Food and Markets (AAFM) may issue a written exemption order to suspend the prohibition on use of neonicotinoid treated article seed for a period of not more than one year if the person seeking the exemption order completes integrated pest management training, submits to AAFM a completed pest risk assessment report; and any seeds authorized for use under the order are planted only on property identified in the pest risk assessment report. An exemption order shall specify the types of neonicotinoid treated article seeds to which the order applies, the date on which the order takes effect, and the order's duration. An exemption order may establish restrictions on the use of neonicotinoid treated article seeds to minimize harm to pollinator populations, bird populations, ecosystem health, and public health or establish other restrictions related to the use of neonicotinoid treated article seeds that AAFM considers necessary.

The act also prohibits a person, beginning July 1, 2025, from using neonicotinoid pesticides for the following uses: outdoor application of neonicotinoid pesticides to any crop during bloom; outdoor application of neonicotinoid pesticides to soybeans or any crop in the cereal grains crop group; outdoor application of neonicotinoid pesticides to crops in the leafy vegetables, brassica, bulb vegetables, and similar crop groups; and the application of neonicotinoid pesticides to ornamental plants. AAFM may issue an exemption order to suspend a prohibition for a period of not more than one year if: a valid environmental emergency or agricultural emergency, as those terms are defined by the act, exists; the pesticide would be effective in addressing the environmental emergency or the agricultural emergency; and no other, less harmful pesticide or pest management practice would be effective in addressing the environmental emergency or the agricultural emergency. The exemption order shall specify the neonicotinoid pesticides, uses, and crops, or plants to which the order applies; the effective date of the order; and the order's duration.

The act includes a contingent repeal on the prohibition on the use of neonicotinoid treated seeds or on the use of neonicotinoid pesticides if similar provisions in New York are repealed. Likewise, the effective dates provide that the prohibitions on the use of neonicotinoid treated seeds or on the use of neonicotinoid pesticides will not go into effect if similar provisions in New York are not in effect and would only go into effect when the New York provisions become effective.

Multiple effective dates, beginning on June 17, 2024

**Act No. 183 (H.887). An act relating to homestead property tax yields, nonhomestead rates, and policy changes to education finance and taxation**

**Subjects: Taxation; education property tax; sales tax; education finance; property valuation; education policy; district quality standards; property tax yields**

Sec. 1 of this act creates the Commission on the Future of Public Education in Vermont to study the provision of education in Vermont and make recommendations for a statewide vision for Vermont's public education system and the policy changes necessary to make the vision a reality. The Commission is tasked with making recommendations, at a minimum, regarding the topics of 1) governance, resources, and administration; 2) the physical size and footprint of the education system; 3) the role of public schools; and 4) the education finance system. A report with the Commission's preliminary findings and recommendations is due on or before December 15, 2024. A report with the Commission's final findings and recommendations is due on or before December 1, 2025, and proposed legislation to advance any recommendations for the education funding system is due on or before December 15, 2025.

Sec. 1a of this act provides the funding source for the Commission created in Sec. 1 by allowing the Agency of Education to use the remainder of a General Fund appropriation it received in fiscal year 2024 to support the work of the Commission.

Sec. 2 sets the property dollar equivalent yield, income dollar equivalent yield, and nonhomestead property tax rate for fiscal year 2025.

Secs. 3 and 4 make prewritten software accessed remotely subject to sales tax in Vermont.

Secs. 5 and 6 impose a three percent surcharge on the rent of each occupancy of a short-term rental and directs the revenue to be deposited into the Education Fund.

Sec. 7 of this act requires the Agency of Education to update the District Quality Standards rule series to include recommended reserve fund account standards.

Sec. 8 contains legislative intent language regarding the creation of a position within the Agency of Education to enable the Agency to provide a wider range of accessible and transparent data related to school budgets and education spending.

Sec. 9 amends the school district budget ballot language requirement in 16 V.S.A. § 563.

Sec. 10 lifts the suspension of the requirement that school districts use the budget ballot language contained in 16 V.S.A. § 563, thus requiring school districts to begin using this language again for fiscal year 2026 budget votes.

Sec. 11 creates the Education Fund Advisory Committee as standing committee to monitor Vermont's education financing system and make certain recommendations to the General Assembly.

Sec. 12 contains a prospective repeal, or sunset, of the Education Fund Advisory Committee created in Section 11, effective on July 1, 2034.

Secs. 13 through 16 apply a statewide adjustment to the formula used when factoring the common level of appraisal into school district tax rates. The statewide adjustment is intended to help districts more easily predict the impact of the common level of appraisal on local education property tax rates.

Sec. 17 amends Act 84 of 2024 to account for district mergers, withdrawals, and dissolutions.

Secs. 18 through 20 reactivate excess spending penalties for districts that spend more than 118 percent of the statewide average district per pupil education spending each year. The sections also remove the statutory exemptions for excess spending but creates a new exemption for payments toward bonds that were approved prior to July 1, 2024.

Sec. 21 requires the Department of Taxes to report on potential improvements to property tax credit claims.

Secs. 22 through 24 contain amendments to sections in 16 V.S.A. chapter 133 that replace the term "adjusted education payment" with the term "education spending payment" to be consistent with the same change in terminology made in 2022 Acts and Resolves No. 127.

Sec. 24a contains 11 separate transfers from the Education Fund to 11 separate towns as compensation for education tax overpayments in fiscal year 2024 due to erroneous accounting of certain students in average daily membership calculations. All towns are part of either the NEK Choice School District or the Canaan School District.

Multiple effective dates, beginning on June 17, 2024



**Act No. 184 (H.55). An act relating to miscellaneous unemployment insurance, workers' compensation, and employment practices amendments and to establishing the Vermont Baby Bond Trust**

**Subjects: Labor; unemployment insurance; workers' compensation; parental and family leave; baby bonds**

This act amends Vermont's unemployment insurance laws to expand experience rating relief for employers for benefits paid to their employees following certain disasters, permits the Commissioner of Labor to waive an individual's liability to repay overpaid unemployment benefits under certain circumstances, and makes various technical corrections. This act amends the workers' compensation laws to add a rebuttable presumption for certain State employees that PTSD suffered by that employee is work-related and to make a technical correction to rulemaking requirements from 2023 Acts and Resolves No. 76. This act requires the Division of Fire Safety to conduct a biennial demographic survey of fire departments in Vermont, requires the Department of Financial Regulation to biennially report on cancer-related workers' compensation claims filed by firefighters, and establishes a pilot program in the Division of Fire Safety to subsidize the cost to provide cancer screenings to firefighters. This act amends certain definitions in Vermont unpaid family and medical leave law. This act establishes the Vermont Baby Bond Trust to be administered by the Treasurer.

Multiple effective dates, beginning on June 28, 2024

**Act No. 185 (H.890). An act relating to delaying implementation of certain health insurance claims editing requirements**

**Subjects: Health; health insurance; claims edits; claims processing**

This act delays implementation of certain health insurance claims processing requirements related to claims edits that were enacted during the 2024 legislative session for one year, until January 1, 2026.

Effective Date: June 28, 2024

**Act No. M-17 (S.141). An act relating to approval of the charter of Fairfax Fire District No. 1**

**Subjects: Municipal government; municipal charters; Fairfax Fire District No. 1**

This act charters Fairfax Fire District No. 1 in accordance with its current boundaries as recorded with the Town of Fairfax.

Effective Date: February 1, 2024

**Act No. M-18 (H.516). An act relating to approval of amendments to the charter of the City of Essex Junction**

**Subjects: Municipal government; municipal charters; amendments; City of Essex Junction**

This act amends the charter of the City of Essex Junction to remove employment restrictions for City Council members, to have the Moderator for City Informational Meetings be appointed by the City Council rather than elected, and to have the annual meeting set by the City Council annually on or before January 1 rather than by the voters at each annual meeting.

Effective Date: March 13, 2024

**Act No. M-19 (H.518). An act relating to the approval of amendments to the charter of the Town of Essex**

**Subjects: Municipal government; municipal charters; amendments; Town of Essex**

This act amends the charter of the Town of Essex to:

- comprehensively reorganize and redesignate sections and subchapters within the charter;
- authorize the Town to adopt license fees for an enumerated list of subjects;
- authorize the voters of the Town to petition for the recall of a Selectboard member and to establish the procedures for submitting the petition and warning a vote for the recall; and
- to replace the Town's Zoning Board of Adjustment with a Development Review Board.

Effective Date: March 29, 2024

**Act No. M-20 (H.801). An act relating to approval of the adoption of the charter of the Town of Waterbury**

**Subjects: Municipal government; municipal charters; adoption; Town of Waterbury**

This act approves the adoption of the charter of the Town of Waterbury to:

- authorize the Selectboard to levy a one percent local option tax; and
- grant the Municipal Manager the authority to hire, appoint, discipline, and remove all Town employees, subject to approval by the Selectboard.

Effective Date: March 29, 2024

**Act No. M-21 (H.554). An act relating to approval of the adoption of the charter of the Town of South Hero**

**Subjects: Municipal government; municipal charters; Town of South Hero**

This act approves the adoption of the charter of the Town of South Hero to:

- authorize the Town to adopt a one percent local option tax; and
- designate the Town's elected and appointed officers.

Effective Date: April 16, 2024

**Act No. M-22 (H.862). An act relating to approval of amendments to the charter of the Town of Barre**

**Subjects: Municipal government; municipal charters; Town of Barre**

This act amends the charter of the Town of Barre to create a Vice Chair for the Board of Civil Authority and to have the Chair and Vice Chair elected at the first meeting on or after February 1 of each year.

Effective Date: May 29, 2024

**Act No. M-23 (H.869). An act relating to approval of the merger of Brandon Fire District No. 1 and Brandon Fire District No. 2**

**Subjects: Municipal government; Brandon Fire District No. 1 and Brandon Fire District No. 2; merger**

This act approves the merger of Brandon Fire District No.1 and Brandon Fire District No. 2 and dissolves Brandon Fire District No. 2.

Effective Date: May 29, 2024

**Act No. M-24 (H.881). An act relating to approval of an amendment to the charter of the City of Burlington**

**Subjects: Municipal government; municipal charters; amendment; City of Burlington**

This act approves the amendment of the charter of the City of Burlington to authorize the Chief Administrative Officer, with approval of the City Council, to pledge the credit of the City by the temporary borrowing of not more than \$10,000,000.00 in anticipation of revenue from the Burlington Electric Department.

Effective Date: May 29, 2024

**Act No. M-25 (H.885). An act relating to approval of an amendment to the charter of the Town of Berlin**

**Subjects: Municipal government; municipal charters; amendment; Town of Berlin**

This act approves the amendment of the charter of the Town of Berlin to authorize the Town to assess a one percent sales tax, a one percent rooms tax, and a one percent meals and alcoholic beverages tax.

Effective Date: May 29, 2024

**Act No. M-26 (H.888). An act relating to approval of amendments to the charter of the Town of Hartford**

**Subjects: Municipal government; municipal charters; Town of Hartford**

This act amends the charter of the Town of Hartford to hold Warrant Information Nights, modify appointments to the School and Town Meeting Committee, increase the terms of the Town Moderator and School Moderator from one to three years, modify quorum and majority vote requirements for Selectboard actions, designate the Town Manager as the Delinquent Tax Collector, and enable the Town Treasurer to appoint an Assistant Town Treasurer.

Effective Date: May 29, 2024

**Act No. M-27 (H.503). An act relating to approval of amendments to the charter of the Town of St. Johnsbury**

**Subjects: Municipal government; municipal charters; amendments; Town of St. Johnsbury**

This act approves amendments to the charter of the Town of St. Johnsbury to modify the powers of the Town and Select Board; provide for the appointment,

removal, and duties of the Town Manager; modify the provisions governing the Town's Downtown District; and reorganize the charter generally.

Effective Date: May 30, 2024

**Act No. M-28 (H.886). An act relating to approval of amendments to the charter of the City of South Burlington**

**Subjects: Municipal government; municipal charters; City of South Burlington**

This act amends the charter of the City of South Burlington to increase the number of South Burlington School District Board Members to seven.

Effective Date: June 4, 2024