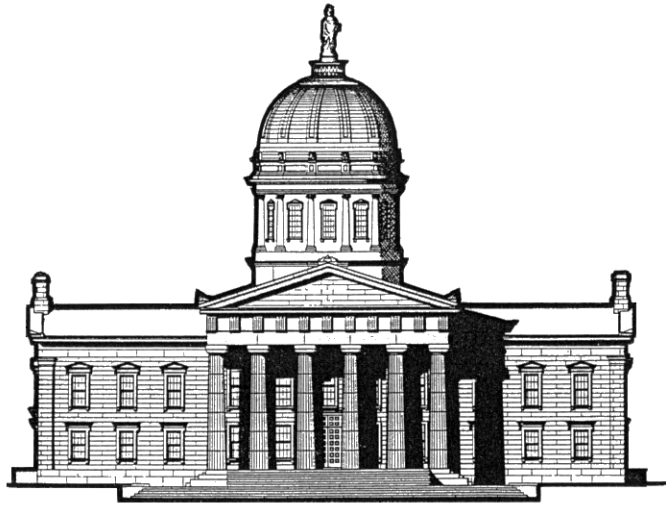


STATE OF VERMONT



SUMMARY OF THE ACTS of the 2023 VERMONT GENERAL ASSEMBLY

Prepared by the
Office of Legislative Counsel

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.

Act No. 1 (H. 42). An act relating to temporary alternative procedures for annual municipal meetings and electronic meetings of public bodies

Subjects: Elections; local elections; annual municipal meetings; alternative procedures

This act temporarily authorizes municipal legislative bodies, until July 1, 2024, to move the date of the municipality's annual meeting to a date later in the same year; to apply the provisions of the Australian ballot system of voting to the annual or special meetings of the municipality; and to conduct public informational hearings by electronic means without designating a physical meeting location. Finally, the act suspends the requirements for school boards to use specified language for a school budget ballot during the years 2023 and 2024.

Effective Date: January 25, 2023

Act No. 2 (H. 1). An act relating to legislative oversight of payment reform and conflict-free case management for developmental disability services

Subjects: Human services; developmental disabilities; payment reform; conflict-free case management

This act repeals and replaces a section requiring the legislative approval of payment reform and conflict-free case management provisions for developmental disability services prior to their implementation with a section that requires the Department of Disabilities, Aging, and Independent Living to present its proposals related to payment reform and conflict-free case management to the committees of jurisdiction and consider their input.

Effective Date: February 13, 2023

Act No. 3 (H. 145). An act relating to fiscal year 2023 budget adjustments

Subjects: Appropriations; budget adjustment act; fiscal year 2023

This act is the fiscal year 2023 budget adjustment. For more information, please see the website of the Joint Fiscal Office at:

<https://ljfo.vermont.gov/subjects/appropriations-and-budget/fy-2023>

Effective Date: Multiple effective dates, beginning on June 30, 2022

Act No. 4 (H. 411). An act relating to extending COVID-19 health care regulatory flexibility

Subjects: Health; health care providers; COVID-19; regulatory flexibility

This act extends through March 31, 2024, certain COVID-19-related health care regulatory flexibility provisions originally enacted in 2020 Acts and Resolves No. 91 and previously extended by 2020 Acts and Resolves No. 140, 2021 Acts and Resolves No. 6, 2022 Acts and Resolves No. 85, and other acts. The act also extends for an additional year, through March 31, 2024, provisions allowing for variations from the usual statutory witnessing requirements for advance directives executed during the COVID-19 pandemic. The act removes the June 30, 2023, end date for the temporary telehealth registration law, which means that the temporary telehealth registration option will continue to be available to out-of-state health care professionals until the permanent, statutory telehealth licensure and registration system established by 2022 Acts and Resolves No. 107 is operational. The act also requires the Board of Medical Practice to report to legislative committees by January 15, 2024, on options for streamlining and modernizing Vermont's physician licensure process.

Effective Date: March 29, 2023

Act No. 5 (H. 28). An act relating to diversion and expungement

Subjects: Criminal procedures; expungement; diversion

This act amends the State's diversion laws to permit individuals who have satisfactorily met all diversion requirements to be eligible for expungement prior to the case being dismissed by the prosecutor. This act also clarifies that all forms of restitution related to a case must be paid and emphasizes that all conditions of diversion must be met prior to expungement.

Effective Date: July 1, 2023

Act No. 6 (H. 466). An act relating to technical corrections for the 2023 legislative session

Subjects: Technical corrections; Legislature; Vermont Statutes Annotated; judiciary; transportation; agriculture; health; municipal charters; property

This act makes technical corrections to numerous sections of the Vermont Statutes Annotated, including statutes related to the judiciary, aeronautics and surface transportation, agriculture, health and health insurance, municipal charters, and property.

Effective Date: July 1, 2023

Act No. 7 (S. 54). An act relating to individual and small group insurance markets

Subjects: Health; health insurance; Green Mountain Care Board; insurance market; Vermont Health Connect

This act requires that, for plan years 2024 and 2025, a health insurance carrier offer separate health benefit plans to individuals and families in the individual market and to small group employers in the small group market and requires that the carrier calculate the premiums for the individual market and the small group market separately.

Effective Date: April 18, 2023

Act No. 8 (H. 148). An act relating to raising the age of eligibility to marry

Subjects: Domestic relations; marriage; age of eligibility

This act raises the age to marry to 18 with no parental, guardian, or judicial waiver.

Effective Date: July 1, 2023

Act No. 9 (H. 35). An act relating to the Victims Assistance Program

Subjects: Crimes; Victims Assistance Program

This act moves the Victims Assistance Program from the Center for Crime Victim Services to the Department of State's Attorneys and Sheriffs, makes small changes to the services provided to victims under the Program to reflect current practice, and changes the name to the Victim Advocate Program.

Effective Date: April 25, 2023

Act No. 10 (H. 190). An act relating to removing the residency requirement from Vermont's patient choice at end of life laws

Subjects: Health; patient choice at end of life; residency

This act eliminates the requirement that a patient with a terminal condition must be a Vermont resident in order to be eligible for medication to be self-administered to hasten the patient's own death in accordance with Vermont's patient choice at end of life laws.

Effective Date: May 2, 2023

Act No. 11 (H. 41). An act relating to referral of domestic and sexual violence cases to community justice centers

Subjects: Community justice centers; domestic and sexual violence

This act permits domestic violence, sexual assault, and stalking cases to be referred to a community justice center that has a current and executed memorandum of understanding with a local member organization of the Vermont Network Against

Domestic and Sexual Violence that follows protocols set forth by the General Assembly and reviewed for compliance by the Community Justice Unit of the Attorney General's Office.

Effective Date: May 8, 2023

Act No. 12 (H. 76). An act relating to captive insurance

Subjects: Insurance; regulation; captive insurance

This act pertains to the regulation of captive insurance companies. More specifically, the subjects covered in the act include the annual reporting requirements of branch captive insurance companies, the naming conventions applicable to incorporated protected cells, the filing and maintenance of records required to be submitted to the Department of Financial Regulation, the scope of information reviewed by the Commissioner of Financial Regulation with respect to applications for a captive license, and the confidentiality of information required to be submitted to the Department of Financial Regulation.

Effective Date: May 8, 2023

Act No. 13 (S. 3). An act relating to prohibiting paramilitary training camps

Subjects: Crimes; paramilitary training camps

This act creates a new crime prohibiting both instruction in paramilitary training and assembling with one or more other persons to receive instruction in paramilitary training. For purposes of the act, paramilitary training means teaching or being taught in the use, application, or making of a firearm, explosive, or incendiary device capable of causing injury or death, if the person doing or receiving the teaching knows or reasonably should know that the teaching is intended to be used in a civil disorder. The act also authorizes the Attorney General or a State's Attorney to bring a civil enforcement action in court if there is reason to believe a violation of the new paramilitary training law is occurring or is about occur. If a civil enforcement action is brought, the act authorizes courts to issue temporary or permanent injunctions ordering that the unlawful paramilitary training be stopped.

Effective Date: May 8, 2023

Act No. 14 (H. 89). An act relating to civil and criminal procedures concerning legally protected health care activity

Subjects: Civil and criminal procedure; legally protected health care

This act defines "legally protected health care activity" for purposes of Vermont law to include reproductive health care services and gender-affirming health care services and reaffirms that access to such services is a legal right in Vermont. The act declares interference with legally protected health care activity, whether or not under the color of

law, against the public policy of Vermont and the act shields providers and patients from litigation seeking to interfere with these established health care services.

The act identifies “abusive litigation” as litigation or other legal action to deter, prevent, sanction, or punish any person engaging in legally protected health care activity by filing or prosecuting any action in any other state where liability, in whole or part, directly or indirectly, is based on legally protected health care activity that occurred in Vermont. Lawsuits are considered to be based on conduct that occurred in Vermont if any part of any act or omission involved in the course of conduct that forms the basis for liability in the lawsuit occurs or is initiated in Vermont, whether or not such act or omission is alleged or included in any pleading or other filing in the lawsuit. The act creates a private right of action for a person who has been subject to abusive litigation to countersue for damages for the amount of any judgment issued in connection with any abusive litigation, and any and all other expenses, costs, or reasonable attorney’s fees incurred in connection with the abusive litigation and with the tortious interference action.

The act establishes a policy of noncooperation with abusive litigation concerning legally protected health care. Vermont courts are prohibited from ordering a person found in Vermont to give testimony or a statement or produce documents or other things with any proceeding in a tribunal outside Vermont concerning abusive litigation involving legally protected health care activity. No public agency or employee, appointee, officer or official, or any other person acting on behalf of a public agency may knowingly provide any information or expend or use time, money, facilities, property, equipment, personnel, or other resources in furtherance of any interstate investigation or proceeding seeking to impose civil or criminal liability upon a person or entity for the provision, seeking or receipt of, or inquiring about legally protected health care activity that is legal in Vermont or assisting any person or entity providing, seeking, receiving, or responding to an inquiry about legally protected health care activity that is legal in Vermont. With respect to extradition, the Governor is directed not to surrender a person charged in another state as a result of engaging in legally protected health care activity unless the executive authority of the demanding state alleges in writing that the accused was physically present in the demanding state at the time of the commission of the alleged offense and that thereafter the accused fled from the demanding state. Finally, Vermont courts are prohibited from issuing a summons where a prosecution is pending in another state concerning legally protected health care activity or where a grand jury investigation concerning legally protected health care activity has commenced or is about to commence for a criminal violation of a law of the other state unless the acts forming the basis of the prosecution or investigation would also constitute an offense if occurring entirely in Vermont.

The act establishes a civil offense for interference with access to a health care facility that is modeled after the federal Freedom of Access to Clinic Entrances Act (18 U.S.C. § 248) and permits persons who provide legally protected health care, persons who assist others in obtaining such care, and persons who exercise their legal right to obtain such services to participate in the Safe at Home address confidentiality program that is

currently available to victims of domestic violence, stalking, sexual assault, or human trafficking.

Effective Date: May 10, 2023

Act No. 15 (S. 37). An act relating to access to legally protected health care activity and regulation of health care providers

Subjects: Health insurance; professional regulation; health care; Office of Professional Regulation; health care providers; Board of Medical Practice; pregnancy centers; reproductive health care services; gender-affirming health care services; medical malpractice insurance; emergency contraception; protected health information

This act adds definitions to statute for the terms “gender-affirming health care services,” “legally protected health care activity,” and “reproductive health care services;” prohibits a medical malpractice insurer from adjusting a health care provider’s risk classification or premium charges based on the health provider providing legally protected health care activity; requires (in statute) that health insurance plans and Medicaid cover gender-affirming health care services and abortion-related services; prohibits a health care provider from being subject to professional disciplinary action for providing or assisting in the provision of legally protected health care activity and establishes new unprofessional conduct standards; establishes a new “unfair and deceptive act” regarding limited-services pregnancy centers to prohibit false and misleading advertising about services; requires the Green Mountain Care Board and the Agency of Human Services to include access to reproductive and gender-affirming health care services as part of ongoing projects and analyses; requires the Office of Professional Regulation to submit a report regarding the State’s participation in interstate compacts (current and future) and directs Vermont compact delegates to support protections for health care providers in compacts; allows pharmacists to prescribe emergency contraception and permits pharmacies and colleges and universities to make nonprescription emergency contraception and other contraceptives available by vending machine; requires Vermont’s public institutions of higher education to report on their students’ access to reproductive and gender-affirming health care services; and, lastly, limits the circumstances under which covered entities and business associates may disclose information regarding legally protected health care activity.

Multiple effective dates, beginning on May 10, 2023

Act No. 16 (H. 178). An act relating to commissioning Department of Corrections personnel as notaries public

Subjects: Professions and occupations; exemptions; notaries public

This act adds individuals employed by the Vermont Department of Corrections to the list of individuals who may be commissioned as notaries public to perform notarial acts

within the scope of their official duties while being exempted from all regular requirements for notaries public.

Effective Date: May 15, 2023

Act No. 17 (H. 288). An act relating to liability for the sale of alcoholic beverages

Subjects: Alcoholic beverages; sale to intoxicated persons; unlawful sale; civil action for damages

This act amends Vermont's liquor liability statute to establish standards for an action based on the unlawful sale or negligent service of alcoholic beverages. This act also requires the Department of Liquor and Lottery to adopt rules governing the minimum liquor liability coverage requirements for first-, third-, and fourth-class licensees.

Effective Date: Multiple effective dates, beginning on July 1, 2023

Act No. 18 (S. 5). An act relating to affordably meeting the mandated greenhouse gas reductions for the thermal sector through efficiency, weatherization measures, electrification, and decarbonization

Subjects: Climate change; renewable energy; air pollution; fuel; heating

This act establishes the Clean Heat Standard (CHS) to reduce Vermont's greenhouse gas emissions from the thermal sector. The CHS shall be administered by the Public Utility Commission with assistance from the Clean Heat Standard Technical Advisory Group. The Public Utility Commission shall report back to the General Assembly with proposed final rules to implement the CHS by January 15, 2025.

The CHS requires entities that import heating fuel into Vermont to reduce their amount of greenhouse gas emissions every year. The required reduction will be determined by the PUC by determining the reduction amount needed to meet the thermal sector portion of the required reductions under 10 V.S.A. § 578(a). Greenhouse gas reductions will be represented by clean heat credits. Obligated parties will need to either generate or purchase clean heat credits sufficient to cover their required amount every year. Clean heat credits will be generated by actions approved by the PUC called clean heat measures. Obligated parties will be required to have at least 32 percent of their annual clean heat credits come from customers with low and moderate income.

Effective Date: May 11, 2023

Act No. 19 (H. 53). An act relating to driver's license suspensions and revenue for the Domestic and Sexual Violence Special Fund

Subjects: Motor vehicles; suspension; privilege to operate; driver's licenses; nonpayment; civil marriage license fees; Domestic and Sexual Violence Special Fund

This act eliminates the suspension of driver's licenses or privileges to operate (collectively "driver's license") exclusively for the nonpayment of a traffic violation for which points are assessed (known as a moving violation) but does not eliminate any of the other instances where a driver's license can be suspended. This act also increases, on July 1, 2023, the civil marriage license fee by \$20.00, from \$60.00 to \$80.00, with \$5.00 more from each license going to the applicable town clerk and \$15.00 more from each license going to the Domestic and Sexual Violence Special Fund but reverts to the current \$60.00 civil marriage license fee and revenue distribution on July 1, 2025.

Effective Date: Multiple effective dates, beginning on June 24, 2023

Act No. 20 (H. 110). An act relating to extending the sunset under 30 V.S.A. § 248a

Subjects: Telecommunications; public service; siting

This act extends the sunset on the telecommunications facilities being sited under 30 V.S.A. § 248a until July 1, 2026. It also directs the Commissioner of Public Service to report back to the General Assembly on how to make the siting process easier for municipalities to participate in.

Effective Date: May 25, 2023

Act No. 21 (H. 161). An act relating to issuance of burning permits

Subjects: Conservation and development; Department of Forests, Parks and Recreation; forest fires and fire prevention; burning permits

This act authorizes the Secretary of Natural Resources to approve in writing, during periods of increased fire hazard, specified periods during which no burning permits shall be issued by town fire wardens.

Effective Date: May 25, 2023

Act No. 22 (H. 222). An act relating to reducing overdoses

Subjects: Human services; opioid use disorder; crisis response; overdose

Sec. 1 of this act updates the Unused Prescription Drug Disposal Program to include needles and syringes. Sec. 2 of this act requires the Department of Health and the Blueprint for Health to facilitate regional stakeholder meetings regarding public needle and syringe disposal programs. By January 15, 2024, the Department shall present information to various committees of the General Assembly regarding the progress of the

regional stakeholder meetings. Sec. 3 of this act appropriates \$150,000.00 in fiscal year 2024 from the Evidence-Based Education and Advertising Fund to the Department to provide grants and consultations for municipalities, hospitals, community health centers, and other publicly available community needle and syringe disposal programs that participated in the stakeholder meetings required pursuant to Sec. 2. Sec. 3b of this act requires the Department of Health to present information to various committees of the General Assembly on unmet needle and syringe service needs, resources required to ensure equitable access to needle and syringe services, and who is best positioned to provide needle and syringe services.

Sec. 4 of this act amends 18 V.S.A. § 4240 pertaining to opioid antagonists, including requiring the Department of Health to include the status of legal possession of substances and harm reduction supplies to any education or trainings provided, to distribute opioid antagonists to assist those at risk of experiencing an opioid-related overdose, and to establish opioid antagonist dispensing kiosks in locations accessible to those at risk of experiencing an overdose. This section also removes the requirements that a health care professional may only prescribe, dispense, and distribute an opioid antagonist to individuals who have received education in a manner approved by the Department of Health and that an individual call for emergency medical services after administering an opioid antagonist.

Sec. 5 of this act exempts “other harm reduction supplies” from the definition of “drug paraphernalia” so as to exempt harm reduction supplies from penalties related to selling drug paraphernalia to a minor.

Sec. 6 of this act prohibits a health insurer or other health benefit plan offered by an insurer or pharmacy benefit manager on behalf of a health insurer covering prescription drugs from using step-therapy, “fail first,” or other protocols requiring documented trials of medication before approving a prescription for the treatment of substance use disorder. Sec. 6a of this act updates the phrase “medication-assisted treatment” to be “medication for opioid use disorder.” Sec. 6b of this act amends existing rulemaking authority to provide the Departments of Health and Vermont Health Access (DVHA) greater flexibility in maintaining a regional system of opioid use disorder treatment. It further adds subsection (d) to allow controlled substances for use in opioid use disorder treatment to be prescribed via telehealth in accordance with federal requirements and subsection (e) to prohibit DVHA, or DVHA’s pharmacy benefits manager, from requiring a health care provider to document a patient’s adverse reaction to a medication prior to prescribing an alternative medication for opioid use disorder to the patient. Sec. 6c replaces the term “medication-assisted treatment” with “medication for opioid use disorder.”

Secs. 7–8b of this act pertain to prior authorization. Sec. 7 adds 33 V.S.A. § 19011 to (1) require the Agency of Human Services (AHS) to provide coverage to Medicaid beneficiaries for medically necessary medication for opioid use disorder when prescribed by a health care professional practicing within the scope of the professional’s license and participating in the Medicaid program and (2) pending approval from the Drug Utilization Review Board, requires AHS to cover at least one medication in each

therapeutic class for methadone, buprenorphine, and naltrexone as listed on Medicaid's preferred drug list without requiring prior authorization. Sec. 8 requires the Joint Legislative Justice Oversight Committee to provide recommendations to various committees of the General Assembly regarding legislative action needed to ensure continuity of treatment for individuals reentering the community after discharge from a correctional setting, including eliminating prior authorization for medication for opioid use disorder. Sec. 8a requires DVHA, in consultation with individuals representing diverse professional perspectives, to research the feasibility and costs of administering a gold card program for substance use disorder treatment in which AHS shall not require a health care provider to obtain prior authorization for substance use disorder treatment if, in the most recent evaluation period, AHS approved or would have approved not less than 90 percent of the prior authorization requests submitted by the health care provider for the medication. DVHA's research must be submitted to the Drug and Clinical Utilization Review Boards for review. Sec. 8b directs DVHA to amend its rules to enable health care providers in office-based treatment programs to prescribe 24 milligrams or less of the preferred medication for buprenorphine without prior authorization in accordance with 33 V.S.A. § 19011.

Sec. 9 of this act adds a definition of "recovery residence" and requires that in all municipalities, a recovery residence serving not more than eight individuals be considered by right to constitute a permitted single-family residential use of property.

Sec. 10 of this act removes the future repeal of the buprenorphine exemption, meaning this section would be a continuation of existing law in that there would not be criminal penalties for possession of 224 milligrams or less of buprenorphine, except that (1) persons under 21 years of age in possession of 224 milligrams or less of buprenorphine would be referred to the Court Diversion Program for the purpose of enrollment in the Youth Substance Awareness Safety Program and (2) persons under 16 years of age in possession of 224 milligrams or less of buprenorphine shall be subject to delinquency proceedings in the Family Division of the Superior Court.

Sec. 11 of this act amends 18 V.S.A. § 4201 to add definitions of "approved drug-checking service provider" and "drug checking." Sec. 12 of this act provides immunity protections for individuals obtaining or providing drug-checking services.

Sec. 13 of this act amends 18 V.S.A. § 4774 to clarify the process by which funds are appropriated from the Opioid Abatement Special Fund. Sec. 14 of this act makes numerous appropriations from the Fund, including for outreach and case management staff, distribution of fentanyl test strips, and implementing a wound care telehealth consultation pilot program.

Effective Date: Multiple effective dates, beginning on May 25, 2023

Act No. 23 (S. 4). An act relating to reducing crimes of violence associated with juveniles and dangerous weapons

Subjects: Juvenile and criminal procedures

This act makes several changes in law related to crimes of violence associated with juveniles and dangerous weapons. The act expands the list of “Big 12” offenses in juvenile law, which are generally required to begin in the Criminal Division, to include aggravated murder, aggravated sexual assault of a child, and an attempt to commit a Big 12 offense. For certain other offenses where the child is 16–18 years of age (felony drug sales and trafficking, human trafficking, defacing a firearm’s serial number, and straw purchasing of a firearm), the Family Division must hold a hearing to determine if the case should be transferred to the Criminal Division. The act requires the Vermont Sentencing Commission to report to the Joint Legislative Justice Oversight Committee and the Senate and House Committees on Judiciary on whether the list of Big 12 offenses should be further enlarged to include additional offenses. The act also permits the parties to stipulate that a case should be converted from a juvenile proceeding to a youthful offender proceeding and provides that a violation of conditions of release charge against a minor, which would ordinarily be brought in the Family Division, would instead be brought in the Criminal Division if the underlying case had already been transferred from the Family Division to the Criminal Division. The act makes juvenile records available to the National Instant Criminal Background Check System for purposes of conducting a background check when a person under 22 years of age purchases a firearm.

The act increases the fine for the crime of knowingly permitting a dwelling to be used for the purpose of illegally selling regulated drugs and creates a new crime prohibiting a person from knowingly permitting a dwelling to be used for the purpose of human trafficking. The act creates several Vermont criminal offenses based on offenses that already exist in federal law. These new offenses prohibit defacing a firearms serial number or possessing a firearm with a defaced serial number; “straw purchases” of firearms, which means buying a firearm for another person who is legally prohibited from having one or who intends to use it to commit a crime; and possession of firearms by fugitives from justice, persons who are subject to final relief from abuse or stalking orders that prohibit firearms possession, and persons against whom charges are pending for drug trafficking, human trafficking, or carrying a dangerous weapon while committing a felony.

The act establishes the Community Violence Prevention Program administered by the Department of Health in consultation with the Department of Public Safety, the Chief Prevention Officer, the Director of Violence Prevention, the Executive Director of Racial Equity, and the Council for Equitable Youth Justice. The Program permits Vermont municipalities and nonprofit organizations to apply for grants to fund innovative, evidence-based, and evidence-informed approaches to reducing violence and associated community harm.

The act extends the implementation date for the Raise the Age initiative, which increases the age for children to be charged as juveniles in the Family Division, from July

1, 2023 to July 1, 2024, and requires the Department for Children and Families to provide the Legislature with status reports on the program's implementation.

Effective Date: May 30, 2023

Act No. 24 (S. 36). An act relating to crimes against health care workers at hospitals and against emergency medical treatment providers

Subjects: Criminal procedures; arrest without warrant; crimes against health care workers at health facilities

This act contains several provisions related to crimes against health care workers in hospitals and against emergency medical treatment providers. The act permits a law enforcement officer to arrest a person without a warrant if the officer has probable cause to believe the person has committed certain misdemeanor crimes outside the presence of the officer and against health care workers in hospitals or against emergency medical treatment providers. The act also enhances the penalty for the crime of criminal threatening if the offense is committed with the intent to terrify or intimidate a health care worker or an emergency medical personnel member because of the worker's or member's action or inaction taken in the provision of health care services. When a law enforcement officer responds to an alleged crime committed by a patient at a hospital or at an emergency medical treatment scene, the act prohibits the officer from removing the patient from the hospital or the treatment scene until the officer is provided with information that is sufficient to confirm whether the patient is stabilized, has been evaluated, or is awaiting additional care, as well as any other information necessary to safely take custody of the patient. The act also requires the Vermont Program for Quality in Health Care to provide a report to the Legislature on de-escalation of potentially violent situations in hospitals and requires the Department of Public Safety to report to the Legislature on any systemic or statutory changes needed to permit collection of data about the new warrantless arrest provisions of the act.

Effective Date: May 30, 2023

Act No. 25 (S. 47). An act relating to the transport of individuals requiring psychiatric care

Subjects: Health; mental health; transportation; temporary custody; restraint

Sec. 1 of this act makes multiple amendments to 18 V.S.A. § 7505. It first requires that an application for a warrant for an emergency examination be based on facts personally observed by a mental health professional or a law enforcement officer or be supported by a statement of facts under penalty of perjury by a person who personally observed the facts that form the basis of the application. It further specifies that a law enforcement officer may take a person into temporary custody if the law enforcement officer has probable cause to believe that the person poses a risk of harm to self or others. The law enforcement officer or mental health professional must then apply to the court for the warrant without delay while the person is in temporary custody. The law enforcement officer, or a mental health professional if clinically appropriate, may then

transport the person if the law enforcement officer or mental health professional conducting the transport has probable cause to believe that the person poses a risk of harm to self or others. This act allows a judge to order only a law enforcement officer to transport the person to a hospital for an evaluation by a licensed physician to determine if the person should be certified for an emergency examination. This act also requires that transports conducted pursuant to a warrant include the same protections as provided to individuals in the custody of the Commissioner of Mental Health transported pursuant to 18 V.S.A. § 7511.

Sec. 2 of this act amends 18 V.S.A. § 7511 to require law enforcement vehicles to have soft restraints available as a first option and the use of mechanical restraints as a substitute if soft restraints are not deemed adequate for safety.

Sec. 3 of this act requires the Department of Mental Health, in collaboration with specified stakeholders, to submit a report to the General Assembly containing any proposed changes to the warrant process in 18 V.S.A. § 7505, including mechanisms to reduce safety risks and reduce delays in accessing care.

Effective Date: July 1, 2023

Act No. 26 (S. 73). An act relating to workers' compensation coverage for firefighters with cancer

Subjects: Labor; workers' compensation; cancer; firefighters

This act establishes additional circumstances under which the workers' compensation law entitles a firefighter who is diagnosed with cancer to a presumption that the cancer is caused by work-related exposure. This law also requires reports on both potential opportunities to improve safety for firefighters and projected impacts to the workers' compensation system of further expanding the presumption that certain types of cancer resulted from a firefighter's work-related exposure.

Effective Date: July 1, 2023

Act No. 27 (S. 89). An act relating to establishing a forensic facility

Subjects: Health; human services; judiciary

Sec. 1 of this act expresses the intent of the General Assembly to establish an initial forensic facility in the nine-bed wing of the current Vermont Psychiatric Care Hospital by July 1, 2024. Sec. 2 of this act specifies that such a forensic facility wing established by the Departments of Mental Health and of Disabilities, Aging, and Independent Living would be excluded from the certificate of need process pursuant to 18 V.S.A. chapter 221, subchapter 5.

Sec. 3 of this act directs the Department of Mental Health to initiate an amendment to its "Rules for the Administration of Nonemergency Involuntary Psychiatric Medications" by August 1, 2023. This section also directs the Departments of Mental Health and of

Disabilities, Aging, and Independent Living to begin drafting amendments to the “Licensing and Operating Regulations for Therapeutic Community Residences” by September 1, 2023.

Sec. 4 of this act requires the Agency of Human Services to present the following information to various committees of the General Assembly:

- a staffing and programming plan for the forensic facility;
- whether additional resources are needed to establish the forensic facility; and
- an assessment of laws, regulations, rules, and policies governing psychiatric hospitals and therapeutic community residences to ensure that they can coexist in the same building.

Sec. 5 of this act requires the Departments of Mental Health and of Disabilities, Aging, and Independent Living to submit an annual report to the General Assembly on January 15 between 2025 and 2030 addressing:

- the average daily consensus at the forensic facility;
- the number of individuals waitlisted for the forensic facility, and where they receive treatment or programming while waiting;
- the aggregated demographic data about the individuals served at the forensic facility; and
- an account of the number and types of emergency involuntary procedures used at the forensic facility.

Sec. 6 of this act establishes the Working Group on Policies Pertaining to Individuals with Intellectual Disabilities Who Are Criminal-Justice Involved. The Working Group is tasked with assessing whether a forensic level of care is needed for individuals with intellectual disabilities who are charged with a crime of violence against another person, have been determined incompetent to stand trial or adjudicated not guilty by reason of insanity, and are committed to the custody of the Commissioner of Disabilities, Aging, and Independent Living. The Working Group is required to submit a report containing proposed legislation by December 1, 2023.

Effective Date: May 30, 2023

Act No. 28 (S. 91). An act relating to competency to stand trial and insanity as a defense

Subjects: Criminal procedures; competency to stand trial; insanity as a defense

This act separates the initial psychiatric examination that must occur when the question of a criminal defendant’s sanity at the time the offense was committed or competency to stand trial has been raised. As a result, the initial examination will evaluate the defendant’s competency, not the defendant’s sanity.

The act permits the examination to be performed by doctoral-level psychologists with training in forensic psychology. Current law requires the initial examination to be conducted by a psychiatrist. This provision sunsets in one year, and during that year the Joint Legislative Committee on Justice Oversight will study and report back on whether

this new option should be kept, repealed, or expanded to include other mental health professionals.

The act provides that subsequent competency evaluations after completion of the initial one will only be ordered by the court if circumstances have changed. In determining whether to order a subsequent evaluation, the court must consider any clinical evidence provided by the treating physician indicating that the defendant's competency may have changed. The act also permits the court to issue an arrest warrant for a defendant who has received notice of a competency evaluation but failed to appear for it.

The act reflects current practice by expressly providing that the defendant is presumed to be competent, has the burden of proving incompetency by a preponderance of the evidence, and cannot be tried for an offense if found to be incompetent.

The act requires the Department of Mental Health and the Department of Disabilities, Aging, and Independent Living to submit reports on cumulative competency evaluations and on whether a plan for a competency restoration program should be adopted in Vermont.

Effective Date: July 1, 2023

Act No. 29 (S. 138). An act relating to school safety

Subjects: Education; school safety; harassment, hazing, and bullying

Secs. 1–5 of this act add several requirements to 16 V.S.A. chapter 33 (Fire and Emergency Preparedness Drills and Safety Patrols) regarding emergency preparedness and operations plans and drills, visitor policies, and behavioral threat assessment teams.

- Sec. 1 of this act amends 16 V.S.A. § 1481, requiring all school districts that operate a school and all independent schools to adopt and maintain a policy mandating each school site to conduct options-based response drills twice a school year, relying on guidance issued by the Vermont School Safety Center and Vermont School Crisis Planning Team.
- Sec. 2 of this act requires each supervisory union or district and each independent school to adopt and maintain an all-hazards emergency operations plan for each school site that is at least as comprehensive as the template maintained by the Vermont School Safety Center.
- Sec. 3 of this act requires each supervisory union board, supervisory district board, school district board, and independent school to adopt an access control and visitor management policy.
- Sec. 4 of this act requires the Secretary of Education, in consultation with stakeholder groups, to develop a model behavioral threat assessment team policy and procedures. The Vermont School Safety Center is required to issue guidance on best practices of behavioral threat assessment teams. Each school district and each independent school is then required to develop, adopt, and ensure

implementation of a behavioral threat assessment policy and procedures at least as comprehensive as the model policy and procedures published by the Secretary by July 1, 2025, subject to the implementation requirements in Sec. 5. Behavioral threat assessment teams are required to receive training at least annually and data related to the teams is required to be reported to the Agency of Education annually.

- Sec. 5 of this act provides target dates for implementing behavioral threat assessment teams, including the development of the model policy, establishment and training of behavioral threat assessment teams, and data reporting. This section also requires status reports on the implementation of behavioral threat assessment teams and a report with any recommended legislative changes resulting from policy development work.

Sec. 5a of this act creates the Working Group on Student Protections from Harassment and Discrimination in Schools to study and give recommendations for how to address harassment and discrimination experienced by students in schools. The Working Group is required to issue a report with its findings and recommendations on or before December 1, 2023.

Effective Date: Multiple effective dates, beginning on July 1, 2023

Act No. 30 (S. 17). An act relating to sheriff reforms

Subjects: Municipal and county government; sheriffs; county officers; powers and duties; counties

This act imposes additional processes for disbursements or transfers of sheriff's departments' assets during the transition between sheriffs. It also adjusts when audits of sheriff's departments must be performed and how these are paid for. This act creates conflict-of-interest requirements for sheriffs and sheriff's deputies. It also requires annual financial disclosures from sheriffs. This act requires the Department of State's Attorneys and Sheriffs to develop the Sheriff's Departments Compensation and Benefits Model Policy and for sheriffs to follow that model policy when funds derived from contract administrative overhead fees are expended on compensation-related uses. It also requires sheriff's departments to provide law enforcement and security services to county and State courthouses under a single, statewide contract. This act creates the new position of Director of Sheriffs' Operations in the Department of State's Attorneys and Sheriffs. This act requires sheriffs to maintain a record of their work schedules. This act requires sheriff's departments to provide assistance to individuals with a relief from abuse order to retrieve personal belongings if asked and if within the sheriff's county, and it prohibits all law enforcement officers and law enforcement agencies from seeking a fee for providing this assistance. This act modernizes use-of-force terminology in statutes pertaining to sheriffs. It also repeals the penalty for refusing to assist a sheriff. This act requires three reports to be issued regarding sheriff's departments' provision of standby services for domestic violence survivors, deputy sheriffs' provision of courthouse security, and sheriff's departments reform.

Effective Date: Multiple effective dates, beginning on May 31, 2023

Act No. 31 (S. 48). An act relating to regulating the sale of catalytic converters

Subjects: Consumer protection; commerce and trade

Sec. 1 of this act adds 9 V.S.A. § 3022(a) governing the sale and transportation of catalytic converters and provides that a scrap metal processor may purchase only one used and detached catalytic converter per day, except from a motor vehicle recycler or repair shop and that any person, other than a motor vehicle recycler or repair shop, cannot transport two or more used and detached catalytic converters unless (A) the catalytic converter is engraved or permanently marked with the VIN number of the vehicle from which it was removed; and (B) the transporter possesses documentation demonstrating proof of ownership. This act also amends 9 V.S.A. § 3022(b) to clarify the duty and the type of documents required for a seller to demonstrate proof of ownership when selling any type of scrap metal to a scrap metal processor. This act also amends 9 V.S.A. § 3022(c) to harmonize the penalty provisions with the duties applicable to any person under the chapter. Sec. 2 of this act adds 24 V.S.A. § 2242(d) to require that, before issuing a certificate of registration to a salvage yard, the Secretary of Natural Resources must obtain written acknowledgment that the applicant is aware of, and will comply with, the laws governing buying, selling, transporting, and record keeping for scrap metal. Sec. 3 of this act adds 24 V.S.A. § 2244 to require the Secretary of Natural Resources to conduct unannounced inspections of salvage yards, including at least one facility annually to ensure compliance with 9 V.S.A. chapter 82. Sec. 4 of this act, in subsection (a), requires the Department of Public Safety (DPS) to adopt and publish sample forms for use by the public and scrap metal processors when buying, selling, transporting, or keeping records for scrap metal sales; subsection (b) requires DPS and the Agency of Natural Resources to conduct a public outreach campaign concerning the laws governing scrap metal sales.

Effective Date: July 1, 2023

Act No. 32 (S. 95). An act relating to banking and insurance

Subjects: Insurance; banking; Vermont Life and Health Insurance Guaranty Association

This act pertains to the regulation of banking, insurance, and securities. More specifically, the subjects addressed in the act include the Vermont Insurance Data Security Law, the obligations of the Department of Financial Regulation if it denies a financial services license to an applicant, a debtor's right to cancel a debt adjustment contract, the legal rate of interest applicable to borrower deposits required by a lender, confidentiality of proprietary information submitted to the Department of Financial Regulation, the disclosure requirements applicable to rate increases for long-term care insurance, the Vermont Life and Health Insurance Guaranty Association, the enhanced protection of Federal Home Loan Bank loans to insurance companies in the event an insurance company is the subject of a delinquency proceeding, and a study of the business practices of automobile insurance companies in Vermont.

Effective Date: July 1, 2023

Act No. 33 (S. 112). An act relating to miscellaneous subjects related to the Public Utility Commission

Subjects: Public service; rulemaking; Public Utility Commission; energy storage facilities; authority

This act makes multiple changes related to the authority of Public Utility Commission, including authority to host remote meetings and authority for parties to waive statutory deadlines. It also creates the Legislative Working Group on Renewable Energy Standard Reform.

Effective Date: July 1, 2023.

Act No. 34 (H. 62). An act relating to the interstate Counseling Compact

Subjects: Health; mental health; interstate Counseling Compact

Sec. 1 of this act adopts the interstate Counseling Compact. Sec. 2 of this act authorizes the Office of Professional Regulation to inquire into the criminal background histories of applicants for initial licensure and license renewal, including for licensed clinical mental health counselors, licensed marriage and family therapists, and individuals registered on the roster for psychotherapists who are nonlicensed and noncertified. Sec. 3 of this act requires that a licensee of a remote state under the Counseling Compact pay a biennial \$50.00 privilege to practice fee.

Effective Date: Multiple effective dates, beginning on July 1, 2023

Act No. 35 (H. 77). An act relating to Vermont's adoption of the Physical Therapy Licensure Compact

Subjects: Professions and occupations; Office of Professional Regulation; interstate compact; physical therapists

This act is Vermont's adoption of the Physical Therapy Licensure Compact into Vermont law. This act will allow physical therapists and physical therapist assistants licensed out of state to practice in the State of Vermont through the Compact's "privilege to practice" process if the practitioner is licensed in another compact member state and pays the required fees. This act also authorizes the Office of Professional Regulation to conduct background checks on physical therapists and physical therapist assistants and establishes a separate "privilege to practice" fee for out-of-state practitioners practicing in Vermont through the Compact.

Effective Date: Multiple effective dates, beginning on July 1, 2023

Act No. 36 (H. 86). An act relating to Vermont’s adoption of the Audiology and Speech-Language Pathology Interstate Compact

Subjects: Professions and occupations; Office of Professional Regulation; interstate compact; audiologists; speech-language pathologists

This act is Vermont’s adoption of the Audiology and Speech-Language Pathology Interstate Compact into Vermont law. This act will allow audiologists and speech-language pathologists licensed out of state to practice in the State of Vermont through the Compact’s “privilege to practice” process if the practitioner is licensed in another compact member state and pays the required fees. This act also authorizes the Office of Professional Regulation to conduct background checks on audiologists and speech-language pathologists and establishes a separate “privilege to practice” fee for out-of-state practitioners practicing in Vermont through the Compact. This act also updates terms relating to the provision of transcription and interpretation services to individuals who are Deaf, Hard of Hearing, or DeafBlind who are entitled to those services while participating in State proceedings.

Effective Date: Multiple effective dates, beginning on July 1, 2023

Act No. 37 (H. 282). An act relating to the Psychology Interjurisdictional Compact

Subjects: Professions and occupations; Psychology Interjurisdictional Compact; psychology

This act adopts the Psychology Interjurisdictional Compact in Vermont, effective on July 1, 2024. The Compact allows doctoral level psychologists to practice telepsychology and temporary in-person psychology in other Compact states in which the psychologist does not hold a professional license.

Effective Date: July 1, 2024

Act No. 38 (H. 473). An act relating to radiologist assistants

Subjects: Health; health care professionals; radiologist assistants

This act allows radiologist assistants to deliver services without having a radiologist present on-site as long as a supervising radiologist is readily available to the radiologist assistant for consultation and intervention by telephone or other remote means. The act also allows radiologist assistants to provide patients with preliminary observations about the technical performance of a procedure or examination and about the findings from a radiologist’s report.

Effective Date: July 1, 2023

Act No. 39 (H. 517). An act relating to approval of the dissolution of Duxbury-Moretown Fire District No. 1 and to deputy State's Attorneys

Subjects: Municipal government; dissolution; Duxbury-Moretown Fire District No. 1

This act approves the dissolution of Duxbury-Moretown Fire District No. 1 and transfers the Fire District's assets, liabilities, and property to the Edward Farrar Utility District. This act also authorizes the Executive Committee of the Department of State's Attorneys and Sheriffs to authorize or direct the Executive Director to appoint deputy State's Attorneys who may prosecute cases in any county of the State.

Effective Date: June 1, 2023

Act No. 40 (S. 14). An act relating to a report on criminal justice-related investments and trends

Subjects: Corrections; judiciary; justice reinvestment

This act requires reports on Vermont's criminal justice-related investments and trends to assist in the systemic assessment of the State's Justice Reinvestment and criminal justice reform efforts and initiative to inform future legislative policy and fiscal decisions. Specifically, the Vermont Statistical Analysis Center is required to consult with the Department of Corrections, the Office of the Attorney General, the Department for Children and Families, and other stakeholders to author a report every three years outlining various data points concerning the State's criminal justice system, including recidivism rates, evidence of desistance, funding for correctional and restorative services, and demographic data, among others. The report is submitted to the Joint Legislative Justice Oversight Committee, the Senate Committees on Appropriations and on Judiciary, the House Committees on Appropriations, on Judiciary, and on Corrections and Institutions, and the Executive Director of the Office of Racial Equity.

This act also creates the Coordinated Justice Reform Advisory Council to establish a unified and collaborative approach to support State and local community-based programs that are consistent with Vermont's restorative justice policy under 28 V.S.A. § 2a. The Council consults with stakeholders to review and provide data-driven recommendations for the priorities and appropriations necessary to support these programs annually. The Commissioner of Corrections must incorporate the Council's recommendations into the Department of Corrections' budget proposal for the upcoming fiscal year. The Council's recommendations are also provided to the Joint Legislative Justice Oversight Committee, the Senate Committees on Appropriations and on Judiciary, and the House Committees on Appropriations, on Judiciary, and on Corrections and Institutions.

Effective Date: Multiple effective dates, beginning on June 1, 2023

Act No. 41 (S. 99). An act relating to miscellaneous changes to laws related to vehicles

Subjects: Motor vehicles; registration; abandoned motor vehicles; speed limits; registration fees; all-terrain vehicles (ATVs); permits; snowmobiles; purchase and use tax; title; mail; plug-in electric vehicles (PEV); towing; lemon law; New Motor Vehicle Arbitration; total abstinence; commercial driver’s licenses; electronic mail; validation stickers; Drug and Alcohol Clearinghouse; gross vehicle weights; DMV modernization project; motor vehicle noise; mobile identification; Vermont ATV Sportsman’s Association (VASA); distracted driving; portable electronic devices

This act:

- New Motor Vehicle Arbitration. Amends 9 V.S.A. § 4173(d) to provide that a consumer continues to have one year following the expiration of the express warranty to recommence proceedings under the new motor vehicle arbitration law (“lemon law”) if proceedings are terminated because the manufacturer performs corrective work satisfactory to the consumer prior to scheduled hearing.
- Definition of Mail. Amends 23 V.S.A. § 4 (the definitions section for Title 23) to add a definition of mail applicable to all of Title 23 that would give the Commissioner of Motor Vehicles the authority to authorize methods of delivery.
- Mobile Identification. Adds 23 V.S.A. § 116 to create a mobile identification, which the Commissioner of Motor Vehicles **may** issue, in addition to and not in lieu of, to an individual who holds a Department of Motor Vehicles credential.
- Validation Stickers. Amends multiple sections of codified law to eliminate the annual (or biennial) validation sticker that the Commissioner of Motor Vehicles currently issues to go on license plates (and makes related technical changes). Also notwithstanding portions of existing rules related to validation sticker requirements and directs the Department of Motor Vehicles not to enforce or apply those rules and to amend the rules accordingly the next time the rules are amended.
- Electronic Proof of Registration. Amends 23 V.S.A. § 307 to allow an operator to show proof of registration electronically on a portable electronic device and to allow an operator cited for failing to carry proof of registration to produce proof after-the-fact within seven days after the traffic stop.
- Plug-In Electric Vehicle (PEV) Registration Fees. Amends 23 V.S.A. §§ 361 and 362 to codify current Department of Motor Vehicles practice to charge the pleasure car and motorcycle registration fees, respectively, for pleasure cars and motorcycles that are plug-in electric vehicles, not the specialized motor vehicle registration fees (1.75x the pleasure car or motorcycle registration fees, respectively).
- Distracted Driving; Hands-Free Use. Amends 23 V.S.A. § 1095b to explicitly state that holding a portable electronic device is a prohibited use of a portable electronic device unless an exemption applies. Also amends the definition of securely mounted (not obstructing windshield and either the mounting device is used in accordance with manufacturer specifications or the mounting device

causes the portable electronic device to remain “completely stationary under typical driving conditions”) and specifies that a hands-free use includes utilizing an internal feature of the portable electronic device or motor vehicle, provided that the portable electronic device is not held in one or more of the operator’s hands.

- Total Abstinence Program. Amends 23 V.S.A. § 1209a to define what “total abstinence” from drugs and alcohol means for purposes of participating in the Total Abstinence Program (TAP) and require from passage forward, without regard to when the participant applies for or gets a license or privilege to operate reinstated under TAP, that failure to maintain total abstinence precludes entrance into and participation in TAP. Also requires the Commissioner of Motor Vehicles to provide written notice of the amendments to all TAP participants and applicants not later than September 1, 2023, and dictates that the “total abstinence means total abstinence as defined in statute” standard applies after passage to all existing and future TAP participants.
- Overweight Permits. Amends 23 V.S.A. § 1392 to eliminate the milk hauler specific permit structure and instead require milk haulers that carry milk at 90,000 lbs to either register at 90,000 lbs or register at 80,000 lbs and get an all products permit to carry at 90,000 lbs. Also amends 23 V.S.A. § 1392 to reduce the fee for the all products permit to the current fee for the permit that is required of a milk hauler registered at 80,000 lbs that only hauls milk at 90,000 lbs.
- Electronic Permits. Amends 23 V.S.A. § 1392 to repeal the one subdivision in the subchapter on truck permits that requires permits be carried and adds 23 V.S.A. § 1455 to require that all permits issued under the subchapter on truck permits be carried by the operator but allows that to be done in electronic form while also preserving the applicable civil penalty from the repealed subdivision.
- Exempt Vehicle/Certificate of Title. Amends 23 V.S.A. § 2012 to grandfather in motor vehicles that are more than 15 years old on January 1, 2024, from needing to have a certificate of title (currently 15 years old in general); amends 23 V.S.A. § 2013 to repeal the exempt vehicle title for motor vehicles that are more than 15 years old; amends 23 V.S.A. § 2017 to authorize the Commissioner of Motor Vehicles to issue a certificate of title for a motor vehicle without regard to the age of the motor vehicle and issue electronic certificates of title if the applicant is entitled to a nonelectronic certificate of title.
- Nonresident Certificate of Title. Amends 23 V.S.A. § 2020 so that the Commissioner of Motor Vehicles can no longer register a motor vehicle and issue a certificate of title to a nonresident based on the filing of a bond (and other related requirements) when the Commissioner of Motor Vehicles is not satisfied as to the ownership of the motor vehicle or that there are no undisclosed security interests. Does not make any amendments related to Vermont residents, and nonresidents will still be able to get a certificate of title if the Commissioner of Motor Vehicles is satisfied as to the ownership of the motor vehicle and that there are no undisclosed security interests.

- Towing. Amends 23 V.S.A. § 4 (the definitions section for Title 23) to add a definition of towing business applicable to all of Title 23; amends 23 V.S.A. § 2151 to allow a vehicle to meet the definition of “abandoned” if a law enforcement officer requests that the vehicle be removed by a towing business and define law enforcement officer and what types of motor vehicles can be abandoned for purposes of the abandoned motor vehicle subchapter; amends 23 V.S.A. § 2153 to clarify that the landowner of the property where an abandoned motor vehicle is located—which could be the towing business if the vehicle is relocated—can apply for an abandoned motor vehicle certification and expands both the time to file the certification from 30 to 90 days and who can certify the vehicle identification number (VIN) of the abandoned motor vehicle; and amends 23 V.S.A. § 2158 to increase the State-reimbursement rate for towing an abandoned motor vehicle from public property from \$40.00 to \$125.00 and eliminate the existing \$16,000.00 cap for total reimbursements in a fiscal year.
- Towing Practices Report. Requires the Office of the Attorney General to study motor vehicle towing practices. As part of that study, the Office of the Attorney General is required to consult with the Department of Financial Regulation, the Department of Motor Vehicles, the Department of Public Safety, the Office of Professional Regulation, and the Office of the Vermont State Treasurer; solicit input and public comment from interested persons; and hold at least one public hearing. At a minimum, the study needs to address (1) pricing of towing and recovery; (2) crash site remediation; (3) storage practices; (4) practices relating to abandonment or suspected abandonment; (5) best practices from other states, with a focus on neighboring states and including on certain listed practices; (6) any applicable recommendations for amendments to State statute; and (7) any other information that the Office of the Attorney General deems pertinent to the study. Report, which must balance consumer protections and the needs of towing businesses, reflecting the necessary role towing businesses serve in maintaining the health, safety, and welfare of Vermonters, is due by December 15, 2023, to the House Committees on Commerce and Economic Development, on Government Operations and Military Affairs, and on Transportation and the Senate Committees on Economic Development, Housing and General Affairs, on Finance, on Government Operations, and on Transportation.
- Proof of Snowmobile Insurance. Amends 23 V.S.A. § 3206 to require a snowmobile operator to carry proof of insurance but allows that to be done electronically on a portable electronic device and allows an operator cited for failing to carry proof of insurance to produce proof after-the-fact within seven days after the traffic stop.
- Commercial Driver’s Licenses Drug and Alcohol Clearinghouse. Amends 23 V.S.A. § 4108 to require the Commissioner of Motor Vehicles to check the federal Commercial Driver’s License Clearinghouse before issuing a commercial driver’s license or commercial learner’s permit and establishes denial criteria based on that search.

- Purchase and Use Tax. Amends 32 V.S.A. § 8902 to allow the total taxable cost to exclude the value of a vehicle that was previously titled (in addition to previously registered) to account for the limited number of title-only transactions that also trigger the payment of purchase and use tax and amends 32 V.S.A. § 8911 to expand the exception for a motor vehicle registered to an applicant in a jurisdiction that imposes a State sales and use tax on motor vehicles to apply if the motor vehicle has been registered to the applicant in such a jurisdiction for any amount of time, as opposed to three or more years.
- Gross Weight Limits on Highways Report. Requires the Secretary of Transportation or designee, in consultation with other individuals, to examine adding one or more special annual permits to statute to allow for the operation of motor vehicles over 99,000 pounds with a report due back to the House and Senate Committees on Transportation by January 15, 2024. The report requirements include minimum areas that need to be addressed, including a permit that allows 107,000 pounds on six axles or 117,000 pounds on seven axles.
- Department of Motor Vehicles Core System Modernization Project. Includes findings of fact on the specifics of the Department of Motor Vehicles Core System Modernization project and how and why there might need to be involvement of and partnership with the General Assembly during the approximately 18 months that the driver services module is being designed and implemented to ensure that statute is amended to allow for efficiencies and optimization that might otherwise be in conflict with statute and also includes findings on how this project can be a model for other modernization projects. Requires three reports to the Joint Transportation Oversight Committee (JTOC), the Joint Fiscal Committee (JFC), and the House and Senate Committees on Transportation that, to the extent practicable, include recommendations on anticipated amendments to statute and are due by July 31, 2024, October 15, 2024, and January 15, 2025. Also expresses an expectation that committees that receive the reports will have an opportunity to (and therefore hopefully will) comment on concerns with any of the recommendations on anticipated amendments to statute.
- Excessive Motor Vehicle Noise Report. Requires the Commissioner of Motor Vehicles, in consultation with the Commissioner of Public Safety and the Vermont League of Cities and Towns, to report on current and potential enforcement practices around excessive motor vehicle noise and make recommendations on ways to limit excessive motor vehicle noise in Vermont. Minimum facets that need to be looked at in the report include a recommendation on a noise standard, enforcement costs, possible options to address excessive motor vehicle noise without utilizing noise testing (such as visual inspection for modifications and labeling requirements), and approaches from other states and requires that the report be submitted to the House and Senate Committees on Transportation and on Judiciary by January 1, 2025.
- Outreach to Municipalities on Speed Limits. Requires the Agency of Transportation, in consultation with the Vermont League of Cities and Towns and

the regional planning commissions, to design and implement a program to provide outreach to municipalities on setting, posting, and enforcing speed limits on town highways.

- All-Terrain Vehicles (ATV) Fees and Penalties Split. Amends 23 V.S.A. § 3513 to preserve the current split of 90 percent of ATV fees and penalties to the Department of Forests, Parks and Recreation and 10 percent of ATV fees and penalties to the Transportation Fund, with the 90 percent share to the Department of Forests, Parks and Recreation going to the Vermont ATV Sportsman's Association (VASA) for development and maintenance of a Statewide ATV Trail Program, for trail liability insurance, and to contract for law enforcement services for purposes of trail compliance, less \$7,000.00 for administrative costs for the Department of Forests, Parks and Recreation.

Effective Date: Multiple effective dates, beginning on June 1, 2023

Act No. 42 (S. 115). An act relating to miscellaneous agricultural subjects

Subjects: Agriculture; livestock quarantine; food safety; eggs; water quality

This act enacts multiple provisions related to agricultural subjects. The act authorizes the Agency of Agriculture, Food and Markets to order a quarantine of domestic animals that are suspected of having been exposed to biological or chemical agents that may cause milk or dairy products to be adulterated or otherwise unsafe for human consumption. The act updates the State's laws regarding the sale of eggs. The act also increases the maximum amount of an administrative penalty that the Agency can assess for a violation of the laws the Agency administers. In addition, the act clarifies that municipalities cannot assess stormwater fees on property subject to the Required Agricultural Practices.

Effective Date: July 1, 2023.

Act No. 43 (S. 135). An act relating to the establishment of VT Saves

Subjects: Retirement; State Treasurer; VT Saves Program

This act establishes the VT Saves Program, administered by the Office of the State Treasurer, for the purpose of increasing financial security for Vermonters by providing access to an IRA for Vermont employees of companies that do not currently offer a retirement savings program. The Program requires that certain employers enroll employees in the Program to contribute to an IRA but permits employees to opt out. The type of IRA for the Program is set as a Roth IRA but the Treasurer is authorized to add an option for a traditional IRA. The act sets the initial contribution from an employee at five percent but provides that the employee may change this to a higher or lower amount. An employer is prohibited from making contributions under the Program. The Treasurer is authorized to charge a fee of not more than \$30.00 per participant per calendar year to defray program administration costs.

This act also establishes the Vermont Retirement Security Fund, to be administered by the State Treasurer, to consist of monies transferred, appropriated, or paid or granted to the Program. It also sets up a penalty structure for employers who fail to enroll covered employees by certain dates but allows the Treasurer to adopt a rule on establishing a waiver to the penalties. Under the act, the Treasurer is required to submit an annual report to the Governor and the Legislature on or before January 15 each year detailing the activities, operations, receipts, and expenditures of the Program.

The act directs the Treasurer to phase in implementation of the Program based on an employer's number of employees beginning July 1, 2025. All employers must offer the Program by July 1, 2026.

Effective Date July 1, 2023

Act No. 44 (S. 137). An act relating to energy efficiency modernization

Subjects: Public service; Public Utility Commission; energy efficiency programs

This act extends for an additional three years the pilot program established in 2020 Acts and Resolves No. 151 that allows thermal energy and process fuel efficiency funding to be spent on measures allowed under the pilot program.

Effective Date: June 1, 2023

Act No. 45 (H. 230). An act relating to implementing mechanisms to reduce suicide and community violence

Subjects: Health; mental health; suicide prevention; reducing lethal means; firearms

This act contains several provisions related to reducing suicide by firearms and to reducing community violence.

Sec. 3 of this act establishes the crime of negligent firearms storage, which is committed if certain harms result because a person keeps or stores firearms in any premises under the person's custody or control and the person knows or reasonably should know that a child or prohibited person is likely to gain access to the firearm. If the resulting harm is that the firearm is accessed by a child or a person prohibited by law from possessing a firearm who uses it to commit a crime or displays it in a threatening manner, the person who stored or kept the firearm may be imprisoned not more than one year or fined not more than \$1,000.00, or both. If the resulting harm is that the firearm is accessed by a child or a person prohibited by law from possessing a firearm who uses it to cause death or injury to any person, the person who stored or kept the firearm may be imprisoned not more than five years or fined not more than \$5,000.00, or both.

This act creates several exceptions to the crime of negligent firearms storage. First, there is no crime if the firearm is carried by or within such close proximity that it can be readily retrieved and used by the owner or another authorized user. Nor is there a crime

if the child or prohibited person accesses the firearm during an illegal entry or while acting in self-defense or defense of another person. Lastly, there is no crime if the person stores or keeps the firearm in a locked container or equipped with a tamper-resistant mechanical lock or other safety device.

This act also requires firearms dealers to post signs where they conduct sales that warn purchasers about the risks of firearms and suicide and that inform purchasers about the need to securely store firearms and the importance of seeking firearm safety instructions.

Secs. 4–6 of this act expand the procedure for obtaining an extreme risk protection order (ERPO) by permitting an ERPO petition to be filed by a family member or a household member. Under current law, the petition can only be filed by a State’s Attorney or the Attorney General.

Sec. 7 of this act requires a 72-hour waiting period for most firearms transfers. The waiting period is not required for firearms transfers that do not require a background check, such as transfers between immediate family members, law enforcement, or the military.

Effective Date: July 1, 2023

Act No. 46 (S. 33). 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 adding “judicial master” to the list of judicial officers that a Chief Superior Judge may specially assign to hear a case in the Superior Court; permitting all parties required to make an oath in a court proceeding to instead file a declaration that the statement is true, subject to the penalties of perjury, without having to swear the statement in person before a notary; raising the jurisdictional limit for small claims actions from \$5,000.00 to \$10,000.00; permitting the jurors’ oath in criminal cases to be affirmed rather than sworn; permitting the State to have the same appeal rights in youthful offender proceedings that it has in criminal proceedings; clarifying that tampering with an ignition interlock device on behalf of another person who is prohibited from driving without the device is a civil violation; permitting service providers, court diversion programs, community-based providers, and treatment programs to have access to juvenile case records; making juvenile records available to the National Instant Criminal Background Check System for purposes of conducting a background check when a person under 21 years of age purchases a firearm; providing that information related to the offense directly or indirectly derived from the risk and needs screening that must be offered to a child prior to the preliminary hearing in a juvenile proceeding cannot be used against the child in the case for any purpose; providing that, prior to the approval of a youthful offender disposition case plan, the court may refer a child directly to a youth-appropriate community-based provider; permitting notice that a person’s DNA has been removed from the State DNA database to be provided by regular rather than certified mail; providing that when a person charged with DUI pleads guilty to the lesser offense of negligent operation, the person will be able to use an ignition interlock device right away

after the conviction; establishing a new statute of limitations for tort claims based on environmental contamination that provides that a claim based on environmental contamination accrues so long as the contamination remains on the property; permitting the Chairs of the House and Senate Committees on Judiciary to designate another member to serve on the Sentencing Commission; prohibiting a law enforcement officer from engaging in a sexual act with a person whom the officer is investigating or whom the officer knows is being investigated by another officer; allowing persons under 21 years of age to possess tobacco in connection with Indigenous cultural tobacco practices; permitting relief from abuse orders to be mailed to defendants instead of personally served on them if they attend the hearing when the order is issued; and extending the sunset for the Vermont Sentencing Commission from July 1, 2023 to July 1, 2025 and directing the Commission to report (1) to the House and Senate Committees on Judiciary by December 15, 2023 on whether any modifications should be made to the statutory definition of stalking and (2) to the General Assembly by December 1, 2023 on whether to eliminate cash bail.

Effective Date: June 5, 2023

Act No. 47 (S. 100). An act relating to housing opportunities made for everyone

Subjects: Housing; land use; Act 250; Human Rights Commission; municipal zoning

This act makes multiple changes to programs and funding to promote housing, including:

Multiple changes to municipal planning and zoning including:

- In residential districts served by sewer and water, a municipality cannot require more than one parking space per dwelling unit. However, it may require 1.5 spaces for multiunit dwellings in areas without sewer and water if existing other parking isn't sufficient.
- Municipalities must allow duplexes where single family units are allowed. Municipalities must permit multiunit dwellings with up to four units in areas of the town served by sewer and water, unless the town requires more units to be built.
- Requiring towns to subject accessory dwelling unit (ADUs) to same standards of review as single-family homes and prohibiting towns from making the criteria for detached ADUs stricter than for single family homes.
- Municipal zoning cannot prohibit hotels renting to those using housing assistance funds.
- In residential districts served by sewer and water, bylaws shall establish building and lot standards to allow five or more units per acre; no dimensional standard for multiunit dwellings can be more restrictive than those for single-family dwellings.

- In residential districts served by sewer and water, affordable housing may add additional units up to 40% of the density and may add an additional floor or not.
- Municipalities may define what areas are “served by municipal sewer and water infrastructure” for purposes of these changes.
- Limiting the aspects of a homeless shelter that can be regulated in town zoning, including that bylaws cannot limit their daily and seasonal hours of operation.
- Requires that specific information be submitted to the Department of Housing and Community Development when municipalities adopt new zoning bylaws or update bylaws, including uploading bylaws and zoning districts to the State database.
- Under the provision that gives any 10 voters, residents, or property owners in a town the ability to appeal a zoning decision, prohibits the ability to appeal the character of the area for affordable housing development.
- Allows towns to give their administrative officer authority to approve minor subdivisions and decide if a hearing is required for minor subdivisions.
- Clarifies existing law that the character of the area cannot be appealed in decisions on certain types of housing. Other elements of the decision may be appealed.
- Establishes “by right zoning” which requires an appropriate municipal panel to provide reasons for adjusting dimensional requirements in permit decisions on housing.
- Requires additional detail in the housing element of regional plans and municipal plans. The regional plan shall include an estimate of the total housing investments needed and specific actions to address housing.
- Removes the ability of rural towns to require changes to bylaws be adopted by Australian ballot. Any town may still choose to use Australian ballot.
- Allows the Department of Housing and Community Development to use up to 20% of municipal planning funds to provide assistance to towns to meet the requirements of the neighborhood development area designation.

Requires the Vermont Association of Planning and Development Agencies (VAPDA) to study various issues related to improving and coordinating effectiveness between municipal, regional, and State planning.

VAPDA is directed to hire Housing Resource Navigators contingent upon an appropriation in FY 24 budget.

Multiple changes to the State development law known as Act 250, including:

- Raises the Act 250 jurisdictional threshold (for a permit) for housing units from 10 units to 25 for downtowns, neighborhood development areas, village centers with zoning and subdivision bylaws, and growth centers. Also, the construction of four units or fewer of housing in an existing structure shall only count as one unit

towards the total number of units. This is a temporary provision that sunsets on July 1, 2026.

- Removes the cap on the number of priority housing projects that are exempt from Act 250 for downtowns, neighborhood development areas, and growth centers. This is a temporary provision that sunsets on July 1, 2026.
- To be exempt under the temporary Act 250 exemptions, a person needs to request a jurisdictional opinion, stating they would be exempt by June 30, 2026. Construction of exempt housing projects would need to be substantially completed by June 30, 2029.
- Allows municipalities to apply for master plan permits under Act 250 for their designated downtown or neighborhood development area. With a master plan, future development in the downtown would only need an Act 250 permit amendment, not an individual permit.
- Clarifies that the Act 250 fees apply per application and the cap on fees applies per application, not per project.
- Exempts electric distribution utilities from Act 250 for replacing or moving existing distribution lines. This is a temporary provision that sunsets on January 1, 2026. Requires any utility that uses the exemption to report back to the relevant committees on the projects completed pursuant to the exemption.

VAPDA, in consultation with the Natural Resources Board and stakeholders, shall propose the framework needed to create a municipal delegation process for Act 250 permits; report due December 31, 2023.

Amends the Act 182 of 2022 report to also review the Act 250 housing jurisdictional trigger and whether it should be changed.

Extends the deadline for the Act 182 of 2022 Designated Area Report from July 15, 2023 to December 31, 2023.

Prohibits deed restrictions and covenants that require minimum dwelling unit size and more than one parking space in areas with sewer and water or 1.5 spaces in areas without sewer and water for multiunit dwellings if existing other parking isn't sufficient.

Requires sellers to disclose if a property is located on a class 4 highway or legal trail.

Creates a summer study committee to study how to increase compliance with the Residential Building Energy Standards and the Commercial Building Energy Standards. Report due Dec. 1, 2023.

The Rural Recovery Coordination Council is created to study and make recommendations on how to strengthen coordination between agencies and stakeholders involved in rural community development. Report due Dec. 15, 2023. Duty to implement contingent upon an appropriation in FY 24 budget.

Directs the Agency of Natural Resources (ANR) to identify any State permitting requirements or ANR processes that may be duplicated under State and local permits and propose how to eliminate such redundancies. Report due Jan. 31, 2025.

Directs the Public Utility Commission (PUC) to revise its rules concerning utility service disconnection at rental property to require a utility to provide notice of the disconnection to the property owner/landlord (even if the tenant is the ratepayer) and, more generally, to allow for remote disconnection. In addition, the PUC shall submit draft legislation to the General Assembly proposing similar disconnection requirements for utilities that are not subject to the PUC's jurisdiction (i.e., municipal and private water and wastewater companies).

Clarifies when an accessory dwelling unit is a public building subject to the jurisdiction of the Division of Fire Safety.

Increases the criminal penalty for a violation of the Fair Housing and Public Accommodations Act.

Directs the Division of Fire Safety to prepare a report on potential revisions to the State's fire and life safety codes for residential buildings that could facilitate the creation of additional residential units.

Creates a Mobile Home Task Force to study and report on the infrastructure, investment, and governance needs of mobile home parks and communities in this State.

Directs the Vermont Housing Finance Agency to provide grants for first generation homebuyers, the development of affordable housing, and the development of affordable rental housing, if funds are made available in fiscal year 2024.

Expands the Vermont Rental Housing Improvement Program to provide grants and loans for the creation of more types of affordable housing units, including the creation of new units.

Authorizes rental housing stabilization services, a tenant representation pilot program, and a rent arrears assistance fund if funding is made available for those purposes in fiscal year 2024.

Exempts rental target housing owners from certain regulatory and insurance requirements if the owners are personally performing lead-based paint activities on the property.

Effective Date: Multiple effective dates, beginning on June 5, 2023

Act No. 48 (H. 45). An act relating to abusive litigation filed against survivors of domestic abuse, stalking, or sexual assault

Subjects: Domestic relations; abuse prevention; abusive litigation

This act creates a new subchapter within Vermont's domestic abuse prevention chapter to establish a procedure to allow survivors of domestic violence, sexual assault or stalking to request a court to issue an order restricting the abuser's ability to file new

litigation against the survivor if a court has found that the abuser has filed litigation primarily for the purpose of abusing, harassing, intimidating, threatening, or maintaining contact with the survivor.

Once an order is issued, the abuser must request permission from the court to file any new action against the survivor. The abuser would only be able to proceed with new litigation if the court determines that the new litigation is being initiated, advanced, or continued primarily for the purpose of abusing, harassing, intimidating, threatening, or maintaining contact with the survivor.

Effective Date: September 1, 2023

Act No. 49 (H. 94). An act relating to removing the Reach Up ratable reduction

Subjects: Human services; Reach Up; ratable reduction

This act directs the Department for Children and Families to submit a report to the General Assembly containing an actionable, phased plan that estimates the amount needed to remove the ratable reduction in the Reach Up program.

Effective Date: July 1, 2023

Act No. 50 (H. 102). An act relating to the Art in State Buildings Program

Subjects: Executive; State buildings; public property; Art in State Buildings Program

This act repeals and replaces the Art in State Buildings Program to clarify the purpose of the Program to fund and contract for the design, purchase, commission, fabrication, installation, and integration of permanent new works of art during the design of new construction of State buildings and facilities. The Program is administered by the Vermont Council on the Arts in coordination with the Department of Buildings and General Services and the Art in State Buildings Advisory Committee. This act clarifies the process for selecting project sites and artists. This act also establishes the Art Acquisition Fund, to be administered by the Council, to finance the design, construction, integration, and purchase or commissioning of works of art for the Program. The act increases the Department of Buildings and General Services' biennial capital budget request for the Program to \$75,000.00 and the amount that may be used for administrative costs to not more than 15 percent of the Fund balance. Finally, this act provides that the State Curator is responsible for maintenance and conservation of artworks acquired or commissioned by the State under the Art in State Buildings Program.

Effective Date: June 6, 2023

Act No. 51 (H. 206). An act relating to miscellaneous changes affecting the duties of the Department of Vermont Health Access

Subjects: Medicaid; health; prior authorization; Department of Vermont Health Access; dental services; third-party insurers; Vermont Prescription Monitoring System

This act adjusts Medicaid coverage for adult dental services, modifies prior authorization requirements when Medicaid is seeking reimbursement from a third-party insurer, adds the designee of the Medical Director of the Department of Vermont Health Access as a person who may access the Vermont Prescription Monitoring System, and requires the Department of Vermont Health Access to collaborate with representatives of Vermont's federally qualified health centers (FQHCs) on an alternative payment methodology for Medicaid payments to FQHCs. This act also requires the Director of Health Care Reform to submit a recommendation to legislative committees of jurisdiction regarding funding for the Blueprint for Health; repeals a prospective repeal (sunset) of certain prohibitions on pharmacy benefit managers; modifies the hospital lien statute to include new requirements, exclusions, and limits; and adds a new report requirement for the Agency of Human Services regarding transformation planning for a number of Vermont hospitals.

Effective Date: Multiple effective dates, beginning on July 1, 2023

Act No. 52 (H. 492). An act relating to setting the homestead property tax yields and the nonhomestead property tax rate

Subjects: Taxation; education property tax; nonhomestead rate; homestead yields

This act sets the property dollar and income dollar equivalent yields for the purpose of setting homestead property tax rates in fiscal year 2024. The fiscal year 2024 yields set by this act are as follows:

- property dollar equivalent yield: \$15,443.00; and
- income dollar equivalent yield: \$17,537.00.

This act sets the nonhomestead property tax rate in fiscal year 2024 at \$1.391 per \$100.00 of equalized education property value.

This act reserves \$13,000,000.00 within the Education Fund to offset property tax rate increases in fiscal year 2025, and requires the Commissioner of Taxes, when preparing the December 1st property tax rate letter, to assume that the reserve will be used to offset tax rate increases in fiscal year 2025.

Effective Date: July 1, 2023

Act No. 53 (H. 125). An act relating to boards and commissions

Subjects: Executive; boards and commissions

This act adopts the Sunset Advisory Commission's 2023 recommendations. It repeals the Government Accountability Committee; the Agricultural Finance Program Advisory Panel; the Coalition for Healthy Activity, Motivation, and Prevention Programs (CHAMPPS) and Fit and Healthy Advisory Council; the Birth Information Network Advisory Committee; the Board of Health; the Vermont Prescription Drug Advisory Council; the Natural Gas and Oil Resources Board; the Review Board on Retail Sales; the Vermont Telecommunications Authority; and the Private Activity Bond Advisory Committee. This act prospectively repeals the Nuclear Decommissioning Citizens Advisory Panel on January 1, 2030, and the Vermont Clean Energy Development Board on June 30, 2027. This act also creates the Summer Government Accountability Committee, which will sunset on November 1, 2024; reduces the number of items in the State Boards and Commissions Registry to be tracked by the State Archivist; alters how compensation is determined for the Chair of the Vermont Pension Investment Commission; modifies the Commission on Women's quorum requirements; modifies Regional Emergency Management Committees' quorum requirements; adjusts the Vermont Employment Security Board membership; and requires the State Ethics Commission to report recommendations for creating a framework for municipal ethics in Vermont.

Effective Date: Multiple effective dates, beginning on June 8, 2023

Act No. 54 (H. 157). An act relating to the Vermont basic needs budget

Subjects: Legislature; Joint Fiscal Office; livable wage

This act creates the Basic Needs Budget Technical Advisory Committee to update the methodology utilized in calculating the basic needs budget pursuant to 2 V.S.A. § 526. The act also requires the Joint Fiscal Office to employ the new methodology when preparing the basic needs budget report due January 15, 2025.

Effective Date: July 1, 2023

Act No. 55 (H. 452). An act relating to expanding apprenticeship and other workforce opportunities

Subjects: Commerce and trade; workforce development; apprenticeship

This act creates a new, comprehensive framework for the approval, operation, and regulation of apprenticeship programs through the Department of Labor.

Effective Date: July 1, 2023

Act No. 56 (H. 481). An act relating to public health initiatives to address death by suicide

Subjects: Health; mental health; preventing death by suicide

Sec. 1 of this act describes the duties of the Department of Mental Health's Director of Suicide Prevention, which include implementing data-driven initiatives, expanding partnerships, coordinating suicide prevention programs across the State, and promoting and supporting statewide crisis and suicide prevention recommendations outlined in the State's Suicide Platform.

Sec. 2 of this act requires the Director of Suicide Prevention, in collaboration with the Agency of Human Services and stakeholders, to develop and submit a statewide strategic plan pertaining to suicide prevention services, training, education, and postvention services to the General Assembly. Prior to the submission of the statewide strategic plan, the Director of Suicide Prevention is required to submit quarterly progress updates on the plan's development to the General Assembly between July 1, 2023 and April 1, 2024. Additionally, this act requires the Director of Suicide Prevention to develop and submit a model protocol for schools on suicide prevention, education, and postvention services.

Sec. 3 of this act requires the Director of Suicide Prevention, in collaboration with the Agency of Human Services and other stakeholders, to develop and submit a model protocol for health care facilities regarding suicide prevention and postvention services.

Sec. 4 of this act requires the Department of Health, in collaboration with the Director of Suicide Prevention, to present information to specific committees of the General Assembly regarding the work accomplished by the State in accordance with the Centers for Disease Control and Prevention's Comprehensive Suicide Prevention grant. Prior to this presentation, the Department of Health is required to submit the results of the complete Suicide Data Linkage Project.

Effective Date: July 1, 2023

Act No. 57 (H. 31). An act relating to aquatic nuisance control

Subjects: Conservation and development; aquatic nuisance control; study committee

This act established the Aquatic Nuisance Control Study Committee to assess the environmental and public health effects of the use of pesticides, chemicals other than pesticides, and biological controls for aquatic nuisance control in State waters. The Aquatic Nuisance Control Study Committee shall submit to the Vermont General Assembly recommendations regarding whether and when pesticides, chemicals other than pesticides, or biological controls should be used to control aquatic nuisances in Vermont.

Effective Date: June 12, 2023

Act No. 58 (H. 67). An act relating to household products containing hazardous substances

Subjects: Conservation and development; hazardous waste; consumer products; household hazardous products

This act establishes an extended producer responsibility program for the collection and disposition of covered household hazardous products. “Covered household hazardous product” is defined as a consumer product offered for retail sale contained in the receptacle the product is offered for sale, if the product meets any of the following: the product or product component is a hazardous waste; or the product is a gas cylinder. Beginning six months after the Agency of Natural Resources’ (ANR’s) final decision on the adequacy of a collection plan, a manufacturer shall be prohibited from selling covered household hazardous products unless the manufacturer participates in a stewardship organization implementing an approved plan. The act requires a stewardship organization to annually register with ANR. Prior to July 1, 2025, any stewardship organization representing manufacturers of covered household hazardous products shall coordinate and submit to ANR a collection plan for review. A collection plan shall list all of the manufacturers, brands, and products covered by the plan and shall provide for free collection and require acceptance of any covered product regardless of manufacturer. A collection plan shall provide for convenient collection and allow all municipal collection programs and facilities to opt to be part of the plan. A collection plan shall provide public outreach and education about the availability and location of a collection program as well as any special handling considerations and information on source reduction for consumers. In addition, the first collection plan shall include a performance goal of participation by 5 percent of Vermont households. Not later than 18 months after the date a collection plan has been implemented, and annually thereafter, a stewardship organization shall report to ANR regarding implementation of the plan, including the volume or weight by hazard category of collected covered household hazardous products and the number of covered entities participating at each collection facility or event and whether the performance goal was met. On or before September 1, 2030 and every five years thereafter, a stewardship organization shall complete an independent third party audit of the effectiveness of the collection plan. ANR shall review and approve collection plans, plan amendments, and registration of stewardship organization. ANR shall report to the General Assembly on or before January 15, 2024 with a recommended fee for the registration of stewardship organizations. Covered household hazardous products shall be banned from landfill disposal after July 1, 2025.

Effective Date: June 12, 2023

Act No. 59 (H. 126). An act relating to community resilience and biodiversity protection

Subjects: Land use; conservation and development; land conservation; biodiversity; community resilience

This act establishes State goals of conserving 30 percent of the land of the State by 2030 and 50 percent by 2050. It requires the Vermont Housing and Conservation Board

in consultation with the Secretary of Natural Resources to develop an inventory of the existing conserved lands in the State and a plan on how to reach the goals.

Effective Date: July 1, 2023

Act No. 60 (H. 227). An act relating to the Vermont Uniform Power of Attorney Act

Subjects: Court procedures; power of attorney

This act enacts the revised Uniform Power of Attorney Act (UPOAA) in Vermont. The UPOAA standardizes and modernizes the law of powers of attorney and provides a simple, customizable power of attorney form that any person can use, with or without an attorney. The act also repeals the existing chapter of Vermont law governing powers of attorney and repeals language in the Uniform Trust Act that would be inconsistent with the UPOAA.

Effective Date: July 1, 2023

Act No. 61 (H. 414). An act relating to establishing an unused drug repository for Vermont

Subjects: Health; prescription drugs; unused drug repository

This act authorizes the Agency of Human Services to contract with a qualified entity to create and administer an unused drug repository program to collect and distribute unused drugs in Vermont. The act directs the Agency to adopt rules for administration of the program and provides immunity from civil or criminal liability or professional disciplinary action for donors, recipients, health care providers, logistics intermediaries, and drug manufacturers. The act requires the Agency to provide an update on its rulemaking for the program as part of the Agency's fiscal year 2024 budget adjustment presentation.

Effective Date: July 1, 2023

Act No. 62 (H. 479). An act relating to the Transportation Program and miscellaneous changes to laws related to transportation

Subjects: Transportation; annual Transportation Program; public transit; zero-fare service; tiered-fare service; Mobility and Transportation Innovations (MTI) Grant Program; St. Albans District Maintenance Facility; Lamoille Valley Rail Trail; Rail Trail Community Connectivity Grants; Caledonia County State Airport; Transportation Alternatives Grant Program; Central Garage Fund; plug-in electric vehicles (PEVs); plug-in hybrid electric vehicles (PHEVs); battery electric vehicles (BEVs); electric bicycles; vehicle incentive programs; Incentive Program for New PEVs; MileageSmart; Replace Your Ride Program; Electrify Your Fleet Program; eBike Incentive Program; mileage-based user fee (MBUF); Carbon Reduction Program; PROTECT Formula Program; complete streets; Vermont State

Standards; U.S. Route 5; micromobility safety; public-private partnerships (P3s); repeals

This act:

- Transportation Program. Adopts the Agency of Transportation's (Agency) Proposed Fiscal Year 2024 Transportation Program (Revised January 27, 2023) except as amended in the act (Transportation Program), defines terms used throughout the act, and corrects typographic errors.
- Fiscal Year 2024 Transportation Investments Intended to Reduce Transportation-Related Greenhouse Gas Emissions, Reduce Fossil Fuel Use, and Save Vermont Households Money. Summarizes certain transportation investments.
- Highway Maintenance. Reduces the Highway Maintenance authorization by \$850,000.00 (Transportation Fund monies for operating expenses) and establishes a two-prong process for the restoration of the reduction to the Highway Maintenance authorization if there are unexpended fiscal year 2023 appropriations of Transportation Fund monies or if federal monies are used as one-time monies for Green Mountain Transit, or both. Also caps the restoration at the \$850,000.00 reduction and specifies that further increases to the Highway Maintenance authorization for fiscal Year 2024 are to be addressed through the Budget Adjustment Act process.
- Paving; Statewide District Leveling. Swaps \$3,000,000.00 in Transportation Fund monies for \$3,000,000.00 in Cash Fund for Capital and Essential Investments (21952) funds, drawn from the Other Infrastructure, Essential Investments, and Reserves subaccount.
- One-Time Appropriations. Amends the funding source and amount for two one-time appropriations as follows:
 - St. Albans District Maintenance Facility: \$3,500,000.00 from the Cash Fund for Capital and Essential Investments (21952) funds, drawn from the Other Infrastructure, Essential Investments, and Reserves subaccount, as opposed to \$3,500,000.00 in Capital Fund monies; and
 - Rail Trail Community Connectivity Grants: \$1,000,000.00 from the Cash Fund for Capital and Essential Investments (21952) funds, drawn from the Other Infrastructure, Essential Investments, and Reserves subaccount, as opposed to \$3,000,000.00 in General Fund monies.
- St. Albans District Maintenance Facility. Adds the project to the Transportation Program for Transportation Buildings.
- Rail Trail Community Connectivity Grants. Adds the project, with specified parameters, to the Transportation Program for Rail.
- Caledonia County State Airport. Authorizes the Agency of Transportation to sell or lease the Caledonia County State Airport through a request for proposal (RFP) process (which shall include a request for a business plan) with conditions,

including that current leases and lease terms be honored; repairs and investments in the Airport be made; the Airport remain available for public use; the State have a six-month right of first refusal to repurchase the Airport at fair market value if the Airport is sold and then subsequently resold or transferred; and, if the Airport is leased, the lease cannot be assigned or subleased without the written approval of the Vermont Secretary of Transportation. Also requires a fair-market offer and for the Town of Lyndon to be consulted and given an opportunity to comment throughout the process on any RFPs prior to issuance and the terms of the purchase and sales agreement or lease agreement, as applicable. Also repeals the authorization on May 1, 2026.

- Project Cancellations and Project Addition. Cancels the Bennington Bypass project but requires the Agency to engage with the Town of Bennington to understand the planned municipal projects or potential municipal projects, or both, within the acquired right-of-way and cancels a bridge project in Sheldon but also adds a new bridge project in Sheldon to the Transportation Program as a Development and Evaluation project.
- Transportation Alternatives Grant Program. Notwithstanding the State statutory Transportation Alternatives Grant Program grant award cap of \$300,000.00 in State fiscal years 2024 to 2027 to allow for Transportation Alternatives Grant Program awards to be up to \$600,000.00 per award for the anticipated remainder of the doubling of the amount of federal monies available for the Transportation Alternatives Grant Program under the Infrastructure Investment and Jobs Act (IIJA).
- Central Garage Fund. Amends 19 V.S.A. § 13 to clarify what is an allowed repair expenditure (19 V.S.A. § 13(a)(2)); eliminates the prohibition on the Agency increasing the total number of vehicles in the fleet without General Assembly approval and make technical and phrasing changes (19 V.S.A. § 13(b)); and expands the definition of equipment (19 V.S.A. § 13(f)). Also notwithstands 19 V.S.A. § 13(c)(2)(B) for State fiscal years 2024 to 2026 to allow for the amount appropriated from the Central Garage Fund for the purchase of new or replacement equipment to be based on the prior year depreciation of fully depreciated, but still actively in service, equipment as a temporary solution to current supply chain issues.
- Public Transit.
 - Authorizes \$850,000.00 in one-time Transportation Fund monies for public transit for the Agency to provide to Green Mountain Transit: (1) for zero-fare service through January 1, 2024, with a resumption of the collection of fares from some passengers not later than January 1, 2024, and (2) to prepare for the transition to tiered-fare service (including the acquisition and maintenance of fare-collection systems) pursuant to a required plan, but directs the Agency to utilize available federal monies to the greatest extent practicable, provided that there is no negative impact on any local public transit providers. Also requires Green Mountain Transit to prepare a plan, which must be filed with

the House and Senate Committees on Transportation by December 1, 2023, for the transition to tiered-fare service on urban routes with certain parameters, including providing certain passengers with service at no cost or a reduced cost to the passenger and being designed, based on reasonable revenue estimates, to generate fare revenue of at least 10 percent of projected operational costs on urban Green Mountain Transit routes.

- Requires the Vermont Public Transportation Association, in consultation with the Agency of Transportation and the Vermont League of Cities and Towns, to provide the House and Senate Committees on Transportation with a written recommendation by January 15, 2024, on one or more funding sources for the nonfederal match required of public transit providers.
- Requires the Agency of Transportation, in consultation with the Agency of Human Services, Division of Vermont Health Access, and the Vermont Public Transportation Association, to conduct a benefit and risk assessment of the current system for delivering public transit and nonemergency medical transportation services (known as the “braided service model”) and file that assessment with the House and Senate Committees on Transportation, the House Committee on Human Services, and the Senate Committee on Health and Welfare by January 15, 2024. Also requires that the assessment include a review of other approaches in the United States and make recommendations on modifications to Vermont’s statewide mobility service design in order to make Vermont’s public transit system as efficient, robust, and resilient as possible while fully maximizing available federal funding.
- Vehicle Incentive Programs.
 - Repeals existing session law related to the Incentive Program for New Plug-In Electric Vehicles (PEVs), MileageSmart, and Replace Your Ride Program.
 - Codifies the Incentive Program for New PEVs, MileageSmart, and Replace Your Ride Program in 19 V.S.A. chapter 29, with some changes to allow more flexibility in implementation.
 - Amends prior session law to explicitly specify that the prior authorizations for the Incentive Program for New PEVs, MileageSmart, and Replace Your Ride Program from State fiscal year 2023 can be used for the codified versions of the programs in addition to the versions in session law that are repealed.
 - Creates the Electrify Your Fleet Program in session law with an initial authorization of \$500,000.00, less administrative costs.
 - Makes changes to the eBike Incentive Program in session law, authorizes an additional \$50,000.00, less administrative costs, for the Program, and directs the Agency to distribute the \$100,000.00, less administrative costs, from 2023 Acts and Resolves No. 3 (Budget Adjustment Act), Secs. 83 and 85 expeditiously but to distribute the balance and the new \$50,000.00, less administrative costs, under the Program as modified once that is implemented, which shall be by July 1, 2023.

- Reauthorizes \$550,000.00 for the Replace Your Ride Program to the Electrify Your Fleet Program and the modified eBike Incentive Program, combined.
- Mileage-Based User Fee.
 - Provides legislative intent for plans to implement a mileage-based user fee (MBUF), specifically to:
 - start collecting an MBUF from all battery electric vehicles (BEVs) starting on July 1, 2025, which is expected to be the first day of the first fiscal year when more than 15% of new pleasure car vehicles are plug-in electric vehicles;
 - start subjecting pleasure car plug-in hybrid electric vehicles (PHEVs) to an increased annual or biennial registration fee on July 1, 2025, but not an MBUF;
 - work towards collecting a fee on kWhs dispensed through certain electric vehicle supply equipment (EVSE); and
 - not commence collecting an MBUF until authorizing language is codified and effective.
 - Adds the design of an MBUF to the Transportation Program and authorizes the Agency to apply for a federal grant for the design of an MBUF, the nonfederal match for State fiscal year 2024, and the use of contractors and consultants to design an MBUF.
 - Provides the skeletal design parameters for an MBUF, which include that an MBUF is collected within 60 days of the closure of the mileage reporting period, which is usually the period between annual inspections but could be a different period if there is a terminating event (transfer of vehicle and/or registering the vehicle in another state).
 - Requires reporting back to the House and Senate Committees on Transportation, House Committee on Ways and Means, and Senate Committee on Finance by January 31, 2024, with an implementation plan, language required for codification, annual reporting requirements, an outline of what is expected to be adopted through rule, and an update on what is happening on a national level and with other states.
- Agency Efforts to Implement the Federal Carbon Reduction Program and PROTECT Formula Program and Address Prioritization and Equity. Elaborates upon what will be prepared as part of the State's development of a Carbon Reduction Program (required to get certain federal formula funds under the Infrastructure Investment and Jobs Act (IIJA)) and the State's Resilience Improvement Plan to establish how it will use federal monies available under the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Formula Program established under the IIJA and requires the Agency to develop recommendations for the integration of carbon reduction, resilience, and equity factors into its project prioritization system.

- Report on Transportation Policy Statutes. Requires the Agency to provide a written report summarizing the work completed to implement the Federal Carbon Reduction Program and PROTECT Formula Program and address prioritization and equity and recommendations on how to amend codified law to reflect that work to the House and Senate Committees on Transportation by November 15, 2023.
- Complete Streets.
 - Makes technical changes and removes the language on what is required related to complete streets for certain State-managed projects from 19 V.S.A. § 10b.
 - Repeals the section on what is required related to complete streets for certain municipally managed projects (19 V.S.A. § 309d).
 - Adds a new chapter on complete streets (19 V.S.A. chapter 24) that:
 - adds a definition for “complete streets” (19 V.S.A. § 2401);
 - adds a section on the State’s policy related to complete streets (19 V.S.A. § 2402);
 - specifies what is required if certain State- or municipally managed projects do not incorporate complete streets principles; that the Agency or municipality determination is final and shall not be subject to further review; and requires, for State-managed projects, that the written determinations be posted and, for municipally managed projects, be available for public inspection at the office of the municipal clerk (19 V.S.A. § 2403); and
 - requires annual reporting on complete streets and the maintenance of a web-accessible and web-searchable public data source of information related to certain State-managed projects (19 V.S.A. § 2404).
 - Establishes a timeline for the implementation of the public data source by January 1, 2024.
 - Requires the Agency, in consultation with the Vermont League of Cities and Towns and regional planning commissions, to design and implement a program to provide training on complete streets to municipalities.
- Vermont State Standards. States that the Agency will be preparing replacements to the current Vermont State Standards and related documents in accordance with the last Transportation Bill and requires that the Agency provide an oral update on the replacement process to the House and Senate Committees on Transportation by February 15, 2024.
- Survey on Support for a Route 5 Bicycle Corridor. Requires the Agency, in partnership with regional planning commissions, to conduct a survey of municipal support for the creation of a bicycle corridor that is roughly adjacent to U.S. Route 5 (border to border). Also specifies that the survey needs to address the level of interest of municipalities and regional planning commissions in prioritizing the

bicycle corridor, including looking at the costs of creation and the benefits to the tourism industry, and requires that the report on the outcome of the survey be filed with the House and Senate Committees on Transportation by January 15, 2024.

- Micromobility Safety Education Program. Requires the Agency, in consultation with stakeholders identified by the Agency, to develop a comprehensive micromobility safety education program, with an emphasis on bicycle safety. Also defines what is included in micromobility and requires the Agency to provide an oral update on the program design and any recommended modifications to current efforts to increase micromobility safety and to statute, including how, if at all, the State's driving under the influence statutes should be amended to address utilizing micromobility while under the influence, to the House and Senate Committees on Transportation by January 31, 2024.
- Public-Private Partnerships. Extends the sunset of the authority for the Agency to enter into public-private partnerships (P3s) by three years, until July 1, 2026, and makes other technical changes.
- Repeals. Repeals obsolete and preempted law on the authority of the Transportation Board to determine connection of passenger trains (5 V.S.A. § 3616) and obsolete law related to municipal authority to restrict the use of covered bridges that is now addressed in Titles 23 and 24 (19 V.S.A. § 314).

Effective Date: Multiple effective dates, beginning on June 12, 2023

See chart on following page.

| H.479 - FY 2024 Transportation Program | | | | |
|---|---|--------------------|--------------------|---------------------|
| Line # | All Funding Sources | FY 2023 As Passed | FY 2024 As Passed | FY 2024 vs. FY 2023 |
| 1 | Administration-Finance-Planning | | | |
| 2 | Central Admin & Finance | 19,890,141 | 21,978,504 | 2,088,363 |
| 3 | Policy & Planning | 16,587,610 | 13,311,995 | (3,275,615) |
| 4 | Environmental Policy & Sustainability | | 27,974,248 | 27,974,248 |
| 5 | Transportation Board | 190,962 | 193,480 | 2,518 |
| 6 | Department of Motor Vehicles | 39,741,834 | 44,910,685 | 5,168,851 |
| 7 | Sub-total | 76,410,547 | 108,368,912 | 31,958,365 |
| 8 | Facilities | | | |
| 9 | Rest Areas | 418,416 | 1,646,444 | 1,228,028 |
| 10 | AOT Buildings | 2,050,000 | 1,525,000 | (525,000) |
| 11 | Sub-total | 2,468,416 | 3,171,444 | 703,028 |
| 12 | Alternate Modes | | | |
| 13 | Public Transit | 44,539,278 | 48,795,330 | 4,256,052 |
| 14 | Aviation | 9,498,994 | 17,274,406 | 7,775,412 |
| 15 | Pedestrian & Bike Facilities | 19,793,776 | 13,039,521 | (6,754,255) |
| 16 | Park & Ride | 4,043,060 | 2,266,045 | (1,777,015) |
| 17 | Multi-Modal Facilities | 0 | 0 | 0 |
| 18 | Rail infrastructure | 26,613,183 | 33,908,320 | 7,295,137 |
| 19 | Amtrak | 8,750,000 | 9,100,000 | 350,000 |
| 20 | Sub-total | 113,238,291 | 124,383,622 | 11,145,331 |
| 21 | State Highway Infrastructure | | | |
| 22 | Maintenance | 104,446,031 | 107,680,765 | 3,234,734 |
| 23 | Paving | 158,820,094 | 141,635,658 | (17,184,436) |
| 24 | Roadway | 51,346,705 | 53,850,502 | 2,503,797 |
| 25 | State Bridges | 57,838,207 | 57,403,086 | (435,121) |
| 26 | Interstate Bridges | 36,731,681 | 50,323,324 | 13,591,643 |
| 27 | Traffic & Safety | 45,645,895 | 46,578,037 | 932,142 |
| 28 | Program Dev. Admin & Tech Services | 33,024,893 | 32,594,500 | (430,393) |
| 29 | Sub-total | 487,853,506 | 490,065,872 | 2,212,366 |
| 30 | Town Programs | | | |
| 31 | Town Highway Aid (Formula) | 27,837,624 | 28,672,753 | 835,129 |
| 32 | Town Bridges | 30,314,187 | 37,201,775 | 6,887,588 |
| 33 | TH Class 2 | 8,600,000 | 8,858,000 | 258,000 |
| 34 | TH Structures | 7,200,000 | 7,416,000 | 216,000 |
| 35 | TH Class 1 supplemental grants | 128,750 | 128,750 | 0 |
| 36 | Trans. Alternatives/Enhancements | 5,665,880 | 5,195,346 | (470,534) |
| 37 | TH State aid nonfederal disasters | 1,150,000 | 1,150,000 | 0 |
| 38 | TH State aid federal disasters | 180,000 | 180,000 | 0 |
| 39 | FEMA grant program | 1,250,000 | 1,250,000 | 0 |
| 40 | TH VT Local Roads | 414,481 | 477,915 | 63,434 |
| 41 | Municipal Mitigation Assistance Program | 6,450,498 | 10,488,523 | 4,038,025 |
| 42 | Sub-total | 89,191,420 | 101,019,062 | 11,827,642 |
| 43 | One-Time and Other Investments | | | |
| 44 | LVRT Community Connectivity Grants | - | 1,000,000 | |
| 45 | St Albans District Maintenance Facility | | 3,500,000 | |
| 46 | E-Bike Incentives | 150,000 | 50,000 | |
| 47 | Electrify Your Fleet | | 500,000 | |
| 48 | Public Transit and MTI Grants | 2,700,000 | 850,000 | |
| 49 | Incentive Program for New PEVs | 12,000,000 | | |
| 50 | EV Charging Infrastructure (one-time) | 2,000,000 | | |
| 51 | Replace Your Ride | 2,350,000 | | |
| 52 | MileageSmart | 3,000,000 | | |
| 53 | Drive Electric VT | 2,000,000 | | |
| 54 | DMV IT System | 20,250,000 | | |
| 55 | Grants to VAST | 800,000 | | |
| 56 | Franklin County Airport Soil Mitigation | 400,000 | | |
| 57 | Sub-total | 42,800,000 | 5,900,000 | (36,900,000) |
| 58 | Total All Programs | 811,962,180 | 832,908,912 | 20,946,732 |
| 59 | Central Garage Internal Service Funds | 22,754,095 | 23,956,385 | 1,202,290 |
| 60 | Total Authorizations | 834,716,275 | 856,865,297 | 22,149,022 |

FY23 Includes BAA Adjustments and adjustments from H.479

Act No. 63 (H. 127). An act relating to sports wagering

Subjects: Recreation and sports; sports wagering

This act authorizes the Department of Liquor and Lottery to operate a sportsbook through sports wagering operators. This act:

- Authorizes the Department to select a minimum of two and not more than six sports wagering operators through a competitive bidding process. The sports wagering operators are permitted to offer sports wagering to persons 21 years of age or older who are located within the State and are not otherwise prohibited from wagering.
- Authorizes the Department to adopt procedures governing sports wagering within the State, requirements for sports wagering operators, and minimum standards for sports wagering platforms.
- Establishes operator fees and a minimum revenue share for the contracts between the Department and its operators.
- Requires the Department of Mental Health to establish the Problem Gambling Program.

Effective Date: June 14, 2023

Act No. 64 (H. 165). An act relating to school food programs and universal school meals

Subjects: Education; universal school meals; school food program

This act creates the universal meals supplement and amends the eligibility requirements for the local foods incentive grant program.

Sec. 1 of this act contains legislative findings related to universal meals programs. Through the creation of the universal meals supplement, Sec. 2 and 3 of this act provide for free breakfast and lunch under the federal school food programs for all public school students and students attending approved independent schools on public tuition. The universal meals supplement is an amount equal to the federal reimbursement rate for a free meal less the federal reimbursement rate for a paid meal. 16 V.S.A. § 1265 is repealed, removing the ability of a school district to seek an exemption from participation in the federal food programs. Approved independent schools are required to participate in the federal food programs only if they want to qualify for the universal meals supplement. School districts and approved independent schools are required to maximize access to federal funds in order to qualify for the universal meals supplement. The universal meals supplement is funded through an appropriation from the Education Fund.

Sec. 4 of this act expands eligibility for participation in the local foods incentive grant program under 16 V.S.A. § 1264a by adding approved independent schools that qualify for the universal meals supplement as entities eligible for participation in the grant program.

Effective Date: July 1, 2023

Act No. 65 (H. 270). An act relating to miscellaneous amendments to the adult-use and medical cannabis programs

Subjects: Cannabis

This act makes changes to the adult-use cannabis program and Medical Cannabis Registry, including:

- Repealing the Cannabis Control Board Advisory Committee and repealing the sunset of the Cannabis Control Board (CCB) in 2024.
- Establishing a new propagation cultivator license that allows cultivation of immature cannabis plants and clones.
- Permitting the CCB to issue or renew a State-issued cannabis establishment license even if the applicant has not received a permit required by the municipality if the CCB finds that the municipality has exceeded its authority under statute with respect to the requirements it has placed on the applicant.
- Clarifying that the prohibition against a municipality banning cannabis establishments from operating within its borders includes regulation by the municipality that has the effect of banning such establishments.
- Extending the benefits that have been available to small cultivators to all outdoor cultivators, allowing such cultivators to enroll in the Use Value Appraisal Program regardless of whether the land was previously enrolled prior to the cultivation of cannabis, and entitling such cultivators to a rebuttable presumption that cultivation does not constitute a nuisance under law in the same manner as “agricultural activities.”
- Increasing the maximum THC content of a packaged cannabis product from 50 to 100 milligrams but not affecting the total amount of cannabis that may be purchased or possessed by a person over 21 years of age.
- Establishing procedures for public access to information regarding complaints and investigations by the CCB.
- Removing the counseling requirement for acceptance of PTSD as a qualifying medical condition for purposes of the Medical Cannabis Registry.
- Increasing the maximum amount of cannabis that may be cultivated by a registered patient or caregiver to six mature plants and 12 immature plants.
- Changing background check requirements for caregivers and allows caregivers to care for up to two people at a time.
- Allowing registered patients with qualifying conditions that are not chronic pain to renew their registration every three years instead of annually.
- Directing the CCB to work with the Vermont Academic Detailing Program, Registry patients and caregivers, licensed medical cannabis dispensaries, and

medical professional stakeholders to review the Medical Cannabis Registry and to provide recommendations for improvement to the Senate Committee on Health and Welfare and the House Committees on Human Services and on Health Care on or before January 15, 2024.

- Clarifying that cannabis and cannabis products are not included in the definitions of tobacco substitute or other tobacco product and are not subject to regulation by the Department of Liquor and Lottery.
- Transferring \$500,000.00 from the Cannabis Regulation Fund to support loans and grants to social equity applicants and requiring a report on the administration and funding of the Cannabis Business Development Fund.
- Directing the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel to collaborate with local and national stakeholders to study the administration and funding of the Cannabis Business Development Fund and gather qualitative and quantitative data informing the establishment and funding of community reinvestment for individuals and communities disproportionately impacted by the criminalization of cannabis. The Panel is required to provide recommendations on how to administer and fund the Cannabis Business Development Fund and fund and administer reinvestment in individuals and communities disproportionately harmed by cannabis criminalization to the Senate Committees on Economic Development, Housing and General Affairs and on Finance on or before January 15, 2024.

Effective Date: June 14, 2023

Act No. 66 (H. 461). An act relating to making miscellaneous changes in education laws

Subjects: Education; home study; National Guard tuition; uniform chart of accounts; standards for student performance; ethnic and social equity standards; union school districts

This act makes several miscellaneous changes to Vermont education laws.

- Secs. 1–3 of this act permanently suspend implementation of the Shared School District Data Management System, as required under 2018 (Sp. Sess.) Acts and Resolves No. 11, as amended, while allowing continued support for any existing or new adopters of the system within the confines of the existing contract.
- Sec. 4 of this act adds a benefit category to the National Guard Tuition Benefit Program under 16 V.S.A. § 2857. This section allows the amount of in-state tuition charged by the University of Vermont to be used for courses at a non-Vermont approved postsecondary education institution when the degree program sought is not offered in Vermont.
- Sec. 5 of this act makes several amendments to Vermont’s home study program under 16 V.S.A. § 166b, including the repeal of the ability of the Secretary of

Education to order a hearing if the Secretary has concerns about the home study program.

- Sec. 6 of this act extends certain dates for the Vermont Ethnic and Social Equity Standards Advisory Working Group created under 2019 Acts and Resolves No. 1 (Act 1). Specifically, this section:
 - extends the cessation date of the Working Group from July 1, 2023, to September 1, 2023;
 - extends the date by which the Working Group shall submit recommendations to the State Board of Education regarding standards for student performance from December 12, 2022, to June 30, 2023; and
 - extends the date by which the State Board of Education shall consider adopting ethnic and social equity studies standards into standards for student performance from December 31, 2022, to December 31, 2023.
- Sec. 7 of this act creates the Act 1 Technical Advisory Group to provide ongoing assistance regarding the work of the Ethnic and Social Equity Standards Advisory (Act 1) Working Group after the Act 1 Working Group ceases to exist on September 1, 2023. Its membership is composed of a subset of the Act 1 Working Group’s current membership as of August 31, 2023, and ceases to exist on January 31, 2024.
- Secs. 9–11 of this act make amendments to the sections governing the number of signatures required on a nominating petition for a union school district board member position under 16 V.S.A. chapter 11. Specifically, when 60 signatures are required for a nominating petition, this section adds the alternative ability to collect signatures from one percent of the legal voters residing in a proposed or current union school district. The candidate would only need to obtain 60 signatures or the signatures of one percent of the legal voters residing in the union school district, not both.

Effective Date: Multiple effective dates, beginning on June 14, 2023

Act No. 67 (H. 470). An act relating to miscellaneous amendments to alcoholic beverage laws

Subjects: Alcoholic beverages; miscellaneous amendments

This act amends various provisions of Vermont’s alcoholic beverage laws to change the term “cider” to “hard cider” throughout the title, create a “limited event permit” for educational and other events where alcoholic beverages are served, change the name of the “festival permit” to “sampling event permit,” extend the sunset of 7 V.S.A. § 230 to July 1, 2025, and require the Department of Liquor and Lottery to report to the General Assembly concerning the public safety impacts of the authority contained in 7 V.S.A. § 230.

Effective Date: Multiple effective dates, beginning on June 14, 2023

Act No. 68 (H.480). An act relating to property valuation and reappraisals

Subjects: Taxation; property tax; reports; reappraisals

This act repeals the common level of appraisal (CLA) as a trigger for town reappraisals, effective retroactively for grand lists lodged on and after April 1, 2022. Beginning on January 1, 2025, this act requires municipalities to conduct full reappraisals every six years unless a longer period of time is approved by the Vermont Department of Taxes, Division of Property Valuation and Review. The Division of Property Valuation and Review is required to propose a schedule for reappraisals to the General Assembly on or before December 15, 2023 that phases in full reappraisals for each municipality every six years with the first municipalities scheduled to complete reappraisals on or before April 1, 2027.

This act requires the Vermont Department of Taxes to submit written reports to the House Committees on Government Operations and Military Affairs and on Ways and Means and the Senate Committees on Finance and on Government Operations. The first submission is a progress report due on or before December 15, 2023 regarding the Department's first six months of work done on the following:

- An implementation proposal for conduction State reappraisals.
- Distinguishing between different types and characteristics of property and their uses.
- Implicit bias reduction training for listers and assessors.
- Considerations for changing the annual date to lodge grand lists from April 1 to January 1 or another date.

The second submission is in two parts due on or before December 15, 2024. The first part is a detailed implementation proposal developed with relevant stakeholders on transitioning from municipal to State reappraisals. The second part is a set of recommendations and considerations for distinguishing between different types and characteristics of property and their uses, and how different property data could be used to make policy decisions. This act appropriates \$50,000.00 to the Vermont Department of Taxes to contract for outside reappraisal expertise to assist the Department in preparing the required written reports to General Assembly.

This act makes multiple changes regarding assessor and lister hiring and qualifications. This act requires the Vermont Department of Taxes, Division of Property Valuation and Review to provide certified assessment education programs on racial disparities in property valuation and on-going bias reduction training. This act clarifies that municipalities may only employ or contract with an assessor if the Division of Property Valuation and Review approves the assessor's qualifications as fulfilling the Division's training requirements. This act requires selectboards to notify the Division of Property Valuation and Review within 14 days of a vote to eliminate the office of lister and hire an assessor. This act expands the authority for towns to vote to eliminate the office of lister at special meetings in addition to annual meetings.

Beginning on January 1, 2026, this act requires elected listers to meet the same qualifications and training requirements required for hired assessors. This act allows elected listers who do not meet those training requirements at the time of their election one year from taking office to comply with the training requirements.

This act recodifies the \$100,000.00 appropriation to the Vermont Department of Taxes, Division of Property Valuation and Review to provide assessment education to listers and assessors, by repealing it from one section of statute and codifying it in another section of statute.

This act repeals the contingent effective date of the State appraisal and litigation program, which is State assistance provided to towns that request it for the valuation and litigation to defend those valuations of unique and complex properties only.

Effective Date: Multiple effective dates beginning on July 1, 2023

Act No. 69 (H. 493). An act relating to capital construction and State bonding

Subjects: Capital construction; capital appropriations; State bonding

This act sets out the State's fiscal year 2023 and fiscal year 2024 capital budget and authorizes the State to issue general obligation bonds in the amount of \$108,000,000.00 and to reallocate \$14,767,376.00 from prior capital appropriations. This act also authorizes spending in fiscal year 2024 from the Cash Fund for Capital Infrastructure and Other Essential Investments in the amount of \$39,485,000.00. It also provides that there will be a budget adjustment process in the second year of the biennium and that fiscal year 2024 appropriations are subject to budget adjustment unless otherwise specified. This act also:

Appropriations (from general obligation bonds)

- Appropriates capital funds in the amount of \$122,767,376.00 over two years for capital construction projects.
- Appropriates \$8,001,244.00 in fiscal year 2024 and \$8,500,000.00 in fiscal year 2025 to statewide major maintenance projects.
- Appropriates \$425,000.00 in fiscal year 2024 and \$425,000.00 in fiscal year 2025 for planning, reuse, and contingency.
- Appropriates \$7,625,000.00 over FY24 and FY25 for HVAC renovations at the State House.
- Appropriates \$2,750,000.00 over FY24 and FY25 for door control system replacement at the Northeast State Correctional Facility.
- Appropriates \$6,000,000.00 over FY24 and FY25 for renovation of the courthouse in White River Junction.
- Appropriates \$3,000,000.00 over FY24 and FY25 for the statewide planning, design, and construction of a three-acre stormwater parcel.

- Appropriates \$1,250,000.00 over FY24 and FY25 for the R22 refrigerant phase out project.
- Appropriates \$3,500,000.00 in FY25 to the replacement of the boiler at the Northern State Correctional Facility.
- Appropriates \$2,500,000.00 in FY25 for the planning, design, and construction of the booking expansion at the Northwest State Correctional Facility.
- Appropriates \$14,500,000.00 over FY24 and FY25 for the planning and design for the replacement of the Chittenden Regional Correctional Facility and a reentry facility.
- Appropriates \$700,000.00 in FY25 for upgrades and replacements of HVAC systems at State correctional facilities.
- Appropriates \$1,000,000.00 over FY24 and FY25 to perform major maintenance at State historic sites.
- Appropriates \$4,200,000.00 over FY24 and FY25 to the Building Communities Grants Programs.
- Appropriates \$3,100,000.00 over FY24 and FY25 for construction, renovation, and major maintenance at any facility owned or operated in the State by the University of Vermont.
- Appropriates \$1,500,000.00 in FY25 for construction, renovation, and major maintenance at any facility owned or operated in the State by the State Colleges.
- Appropriates \$14,494,132.00 over FY24 and FY25 to the Agency of Natural Resources for projects, including the Drinking Water State Revolving Fund, dam maintenance, infrastructure rehabilitation at State parks, and general infrastructure projects for the Department of Fish and Wildlife.
- Appropriates \$9,885,000.00 in FY24 for clean water implementation projects.
- Appropriates \$3,600,000.00 over FY24 and FY25 to the Vermont Housing and Conservation Board for housing and conservation projects.

Clean Water Initiatives

- Directs the Clean Water Board to review and recommend Clean Water Act implementation programs for fiscal year 2025 funding and submit a list of recommended programs, including any recommendations on a funding source for municipal pollution control grants in fiscal year 2025, to the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions and the Governor for inclusion in the fiscal year 2025 capital budget report by December 1, 2023.

Department of Buildings and General Services (BGS)

- Authorizes BGS to list the sale of property with a real estate agent.

- Authorizes BGS to provide notice for property sold at auction or by sealed bid by electronic means.
- Authorizes the Commissioner of BGS to:
 - Sell 110 State Street in Montpelier.
 - Subdivide, sell, or otherwise dispose of the land in the Waterbury State Office Complex that formerly housed Stanley Hall and Wasson Hall and the adjacent parking lot to the Town of Waterbury.
 - Sell 108 Cherry Street in Burlington.
- Directs BGS to work with the City of Burlington to find another appropriate location in downtown Burlington to relocate State employees who provide client services prior to the sale of 108 Cherry Street.
- Extends the sunset for the Capitol Complex Security Advisory Committee to June 30, 2024.
- Directs BGS to submit a site location proposal for replacement of women’s facilities for justice-involved women to the House Committee on Corrections and Institutions and the Senate Committee on Institutions by January 15, 2024. Expresses intent to give preference to State-owned property and consider both co-locating facilities and the need for separate facilities.

Human Services

- Requires the Department of Corrections to submit a report to the House Committees on Corrections and Institutions and on Judiciary and the Senate Committees on Institutions and on Judiciary on the proposed size and scale of replacement women’s facilities by November 15, 2023.

Legislature

- Extends the Legislature’s authority to have exclusive use of certain rooms at 109 State Street until June 30, 2024.
- Establishes a special committee comprising the Chairs of the House Committee on Corrections and Institutions and the Senate Committee on Institutions, and the Joint Legislative Management Committee, to review, approve, or recommend alternations to the schematic design for the State House expansion submitted by Freeman, French, Freeman.

Natural Resources

- Repeals the sunset on 24 V.S.A. § 4763, which allows the Secretary of Natural Resources to make loans to private entities for clean water projects through the EPA Pollution Control Revolving Fund. The sunset required that no applications for loans be submitted after June 30, 2023.

Effective Date: June 14, 2023

Act No. 70 (H. 175). An act relating to modernizing the Children and Family Council for Prevention Programs

Subjects: Juvenile justice; allocation of federal money

This act amends the Children and Family Council for Prevention Programs to comply with the core requirements of the federal Juvenile Justice and Delinquency Prevention Act of 1973 as reauthorized and amended by the Juvenile Justice Reform Act of 2018. Specifically, the group is renamed the Council for Equitable Youth Justice and increases the number of members from 21 to 25 who are appointed by the Governor and confirmed by the Senate. The act also requires the Council to develop a State juvenile justice plan with the Department for Children and Families (“DCF”) every three years and submit a report every two years to the Governor, the Joint Legislative Justice Oversight Committee, and DCF describing its efforts to comply with the requirements of the governing federal law.

Effective Date: July 1, 2023.

Act No. 71 (H. 291). An act relating to the creation of the Cybersecurity Advisory Council

Subjects: Executive; information technology; Agency of Digital Services; cybersecurity; critical infrastructure

This act creates the Cybersecurity Advisory Council to advise on the State’s cybersecurity infrastructure, best practices, communications protocols, standards, training, and safeguards.

Sec. 1 of this act establishes the Council and relevant definitions in 20 V.S.A. chapter 208. The Council is composed of 11 members and the Chief Information Officer serves as Chair. Among other responsibilities, the Council is required to develop a strategic plan for protecting the State’s public sector and private sector information and systems from cybersecurity attacks, evaluate statewide cybersecurity readiness, and conduct an inventory and review of cybersecurity standards and protocols for critical sector infrastructures. The Council is authorized to enter into executive session for certain reasons that are in addition to the considerations listed in 1 V.S.A. § 313 and also has a public records act exemption regarding cybersecurity standards, protocols, and incident responses, if the disclosure would jeopardize public safety.

Sec. 2 of this act amends the definition of “critical infrastructure” in 11 V.S.A. § 1701.

Sec 3. of this act requires the Council to include in its annual report due on January 15, 2024 any recommendations on whether to amend the definition of “essential supply chain”.

Sec. 4 of this act sunsets the Council on June 30, 2028.

Effective Date: July 1, 2028

Act No. 72 (H. 471). An act relating to technical and administrative changes to Vermont's tax laws

Subjects: Sales and use tax; use value appraisal; property transfer tax; meals and rooms tax; personal income tax; property valuation

This act makes multiple technical and administrative changes to Vermont's tax laws, including:

- conforming to the federal income and estate tax statutes in effect on December 31, 2022 for taxable years beginning on and after January 1, 2022;
- clarifying the sales and use tax and meals and use treatment of alcoholic beverages that are produced or manufactured by a licensed restaurant or operator and sold in sealed containers for consumption off premises;
- adding a requirement that meals and rooms tax must be shown to have been paid back to a purchaser before an operator may request a refund of meals and rooms tax paid from the Vermont Department of Taxes, and clarifying that purchasers are authorized to request a refund from the Department;
- adding a requirement that if the Commissioner of Taxes determines local option tax was erroneously collected in a town without a local option tax, the Commissioner must either refund the over-collected tax to the purchaser or operator or, if the purchaser cannot reasonably be determined, deposit the over-collected local option tax as required for State sales and use tax (to Education Fund) or State meals and rooms tax (Education Fund, General Fund, Clean Water Fund);
- extending the sunset of the sales and use tax exemption for advanced wood boilers by one year, from July 1, 2023 until July 1, 2024;
- repealing the Computer Assisted Property Tax Administration Program (CAPTAP), associated per parcel fees, special fund, and any reference to CAPTAP in statute;
- allowing the Director of Property Valuation and Review to communicate current use notices by means other than mail;
- creating a land use change tax exemption for land owned or acquired by a Native American tribe or a nonprofit organization organized for the tribe's benefit and controlled by the tribe that qualifies for a property tax exemption;
- creating a property transfer tax and clean water surcharge exemption for transfers of property between related 501(c)(3) nonprofit organizations;
- removing the requirement that child and dependent care be provided in Vermont to be eligible for a Vermont Child and Dependent Care Tax Credit;
- allowing individuals without tax identification numbers to claim the Vermont Earned Income Tax Credit and the Vermont Child Tax Credit and requiring the

Commissioner of Taxes to set up a process for individuals without tax identification numbers to claim the credits;

- requiring the Commissioner of Taxes to set up a program to make advance quarterly payments of half of the Vermont Child Tax Credit when federal legal action excludes recurring refundable State tax credits from federal benefit determinations;
- correcting the composite payment rate for S corporations, partnerships, and limited liability companies with nonresident members from the middle marginal personal income tax rate to the second-highest personal income tax rate;
- allowing the Vermont Housing Finance Agency (VHFA) to renew certificates of exemption for qualified rent-restricted residential rental units every 10 years if VFHA finds that the property continues to meet the exemption requirements;
- extending the homestead property tax credit claim filing deadline from a final date of October 15 to March 15 of the following calendar year; and
- regarding tax increment financing (TIF) districts:
 - adding to the definition of “improvements” by allowing a municipality to use the proceeds of debt to pay for debt service interest payments for up to two years from the date the district incurs its first debt;
 - allowing for a municipality to use bond anticipation notes provided that they are not considered a first incurrence of debt;
 - requiring that no adjustments be made to a TIF district after the TIF district plan has been approved;
 - addressing how to handle decrement in a TIF district;
 - clarifying that increment is held apart regardless of whether the assessed value exceeds the OTV;
 - requiring that a municipality remit not less than the aggregate tax due on the OTV each year to the Ed Fund;
 - clarifying that for a municipality with a TIF district and a tax stabilization agreement that the municipal and education property tax increment for the properties in the TIF district shall be calculated based on the assessed value of the properties and not the stabilized value;
 - removing the authority for the Emergency Board to approve a TIF district when the General Assembly is not in session;
 - extending authority of the City of Barre to incur indebtedness for its TIF district to March 31, 2026 and authority to retain increment until June 30, 2039; and

- extending authority of Town of Hartford to incur indebtedness for its TIF district to March 31, 2026 and authority to retain increment until June 30, 2036.

This act requires two reports to the General Assembly. First, this act directs the Vermont Department of Taxes to submit a report by January 15, 2024 regarding refund notices to purchasers who overpaid sales and use tax, meals and rooms tax, or local option tax. Second, this act directs the Legislative Joint Fiscal Office to submit a report or an issue brief, or to contract with a consultant to perform the research and draft the report, by January 15, 2024 on financing public infrastructure improvements in Vermont municipalities.

This act also makes numerous changes regarding the Vermont Bond Bank, the Vermont Employment Growth Incentive (VEGI), Workers' Compensation, and Unemployment Insurance. With regard to the Bond Bank, this act amends the Bond Bank's enabling chapter to expand the types of financing arrangements the Bank is authorized to make to allow different forms of loans to be made to municipalities for energy efficiency and renewable infrastructure projects. This act also makes global changes throughout Bond Bank statute to change name of Bank from the "Municipal Bond Bank" to the "Vermont Bond Bank."

With regard to the Vermont Employment Growth Incentive (VEGI), this act extends the sunset for the Vermont Economic Progress Council to accept or approve applications for an employment growth incentive from Jan. 1, 2024 to Jan. 1, 2025.

With regard to Workers' Compensation, this act sets the rate of contribution to the Workers' Compensation Administrative Fund for direct calendar year premiums for Workers' Compensation in fiscal year 2024. This act adds a new provision that will maintain the previous year's rate of contribution to the Workers' Compensation Administrative Fund if the General Assembly fails to adopt a new rate. This act also makes permanent a provision permitting workers to obtain a 14-day extension of workers' compensation benefits upon receipt of notice of the employer's intent to discontinue the benefits.

With regard to Unemployment Insurance, this act amends the prospective repeal of an Unemployment Insurance benefit increase to correct an arithmetic error in the language.

Effective Date: Multiple effective dates beginning on January 1, 2023

Act No. 73 (H. 472). An act relating to miscellaneous agricultural subjects

Subjects: Agriculture; food safety; agricultural fairs; apiaries; nurseries

This act enacts multiple provisions related to miscellaneous agricultural subjects. The act clarifies the process and formula for awards of operational grants to agricultural fairs and field days. The act authorizes the period under which the Agency of Agriculture, Food and Markets (Agency) is required to inspect a weights and measures device by up to 24 months from the date of original application for a weights and measures license. The act also repeals the statutory requirements for the issuance of certified livestock

brands. The act requires an apiary to be inspected within 45 days of sale of the bees from the apiary. The act also repeals the permit exemption for bees transported into the State when the bees are registered in Vermont, were transported not more than 75 miles from the registered Vermont location, and are imported back into the State within 30 days of original transport. The act requires products intended to improve a distinct type of horticultural growing, such as hydroponic growing, to register with the Agency. The act requires persons who are in the business of selling, installing, or distributing nursery stock to obtain a nursery dealer license. The act repeals the requirements that the Agency compensate owners of nursery stock when the stock is ordered to be destroyed due to disease or infestation. The act also extends for one year the sales tax exemption on advanced wood boilers.

Effective Date: July 1, 2023, except that the extension of the sales tax exemption on advanced wood boilers takes effect June 30, 2023.

Act No. 74 (H. 476). An act relating to miscellaneous changes to law enforcement officer training laws

Subjects: Internal security and public safety; Vermont Criminal Justice Council; law enforcement officer training

This act requires law enforcement agencies and constables who exercise law enforcement authority to adopt the Domestic Violence Involving Law Enforcement Model Policy by July 1, 2024, and any future updates to the Policy within six months following the issuance. It will also require the Vermont Law Enforcement Advisory Board to update the Domestic Violence Involving Law Enforcement Model Policy by January 1, 2024.

This act includes additional conduct by a law enforcement officer as “Category B conduct” sanctionable by the Vermont Criminal Justice Council for a first offense, specifically, while on duty or off duty, attempting to cause or causing physical harm to a family or household member, or placing a family or household member in fear of imminent serious physical harm abuse of a family or household member, as well as, while on duty or off duty, a violation of the Domestic Violence Involving Law Enforcement Model Policy. It also clarifies which types of law enforcement officer conduct the Vermont Criminal Justice Council may take action on for a first offense by restructuring 20 V.S.A. § 2407 section and adds as “Category B conduct” sanctionable by the Vermont Criminal Justice Council for a first offense any sexual harassment involving physical contact by a law enforcement officer.

This act requires the Vermont Criminal Justice Council to collect and annually report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations aggregate data regarding domestic and sexual violence and complaints and related conduct resulting in the filing of charges or stipulations or the taking of disciplinary action.

Effective Date: June 19, 2023

Act No. 75 (H. 482). An act relating to Vermont Criminal Justice Council recommendations for law enforcement officer training

Subjects: Internal security and public safety; Vermont Criminal Justice Council; law enforcement officer training

This act repeals the fixed hours of training required for fair and impartial policing training. It requires the Vermont Criminal Justice Council to report to the House Committee on Government Operations and Military Affairs and the Senate Committee on Government Operations by January 15, 2024 on the transition from using fixed hours for fair and impartial policing training to using improved competency as a measure of completed training. It similarly repeals the statutory requirements for Advanced Roadside Impaired Driving Enforcement training and directs the Vermont Criminal Justice Council to instead adopt rules pertaining to those training requirements. It also requires law enforcement agencies to collect data for the date, time, and location of roadside stops. It requires an executive law enforcement officer when hiring a law enforcement officer to contact all of the applicant's former law enforcement agencies. It also extends the deadline for the Vermont Criminal Justice Council to adopt rules regarding alternate routes to law enforcement officer certification to July 1, 2025.

Effective Date: June 19, 2023

Act No. 76 (H. 217). An act relating to child care, early education, workers' compensation, and unemployment insurance

Subjects: Human services; child care; labor; workers' compensation

This act addresses child care and early education, prekindergarten education, taxation, and workers' compensation.

Sec. 1 of this act establishes the General Assembly's legislative intent with regard to child care, early education, and prekindergarten education.

Secs. 2–3a of this act address prekindergarten more specifically. Sec. 2 of this act establishes the Prekindergarten Education Implementation Committee to develop a plan for the implementation of a prekindergarten program for four-year-old children in either a public school setting or through the school district by contract with private providers. Sec. 2a of this act directs the Agency of Education, in consultation with the Prekindergarten Education Implementation Committee, to develop a model contract for school districts to use for contracting with private providers for prekindergarten services. Sec. 2b of this act directs the Agency of Education, in consultation with the Prekindergarten Education Implementation Committee, to analyze and issue a report regarding whether the cost of educating a prekindergarten student is the same as educating a kindergarten student in the context of a full school day. Sec. 2c of this act requires the Agency the Education to share specific data with the Joint Fiscal Office. Sec. 3 of this act changes the grade level weight for prekindergarten students from -0.54 to 1 as of July 1, 2026, pending the contingencies listed in Sec. 3a of this act.

Sec. 4 of this act directs the Agency of Education submit a plan to the General Assembly for the purpose of elevating the status of early education within the Agency in accordance with the report produced pursuant to 2021 Acts and Resolves No. 45, Sec. 13.

Secs. 5–5d of this act make multiple amendments to the Child Care Financial Assistance Program (CCFAP) effective on various dates between January 1, 2024, and October 1, 2024. Sec. 5 of this act authorizes child care providers to establish tuition rates that are lower than the provider reimbursement rate in CCFAP. Sec. 5a of this act authorizes the Commissioner for Children and Families to adjust the subsidy and family contribution by rule to account for increasing child care costs, not to exceed 1.5 times the most recent annual increase in the NAICS index for education services. On April 1, 2024, this section also expands from 150 percent FPL to 175 percent FPL the allowed gross income of those families participating in CCFAP who do not have a co-payment and expands from 350 percent FPL to 400 percent FPL the allowed gross income of those families eligible to participate in CCFAP. On July 1, 2024, Sec. 5b of this act allows Vermont residents whose citizenship status would otherwise exclude them from participating in CCFAP to be served under the Program using solely State funds. On October 1, 2024, Sec. 5c of this act expands from 400 percent FPL to 575 percent FPL the allowed gross income of those families eligible to participate in CCFAP. Sec. 5d of this act adjusts a family contribution scale to begin at \$50.00 per week for families at 176 percent FPL.

Sec. 6 of this act readjusts the child care provider reimbursement rate within CCFAP to be 35 percent higher than the 2023 5-STAR (STep Ahead Recognition System) rate beginning on January 1, 2024. Sec. 7 of this act appropriates fiscal year 2024 funds to implement the policies in Secs. 5a and 6 of this act and to create 11 new positions within the Department for Children and Families (DCF).

Sec. 8 of this act appropriates \$20 million in fiscal year 2024 to provide payments to child care providers in preparation for the CCFAP eligibility expansion and provider rate adjustment. The act authorizes the use of readiness payments for multiple purposes, including increasing capacity for infants and toddlers, improving facilities, expanding hours of operation, and increasing workforce capacity.

Secs. 8a through 9a of this act make multiple amendments to the CCFAP provider payments on various effective dates. Sec. 8a of this act directs DCF to use the 2023 5-STAR rate to reimburse all child care providers participating in CCFAP beginning on July 1, 2023. Effective January 1, 2024, Sec. 9 of this act directs that the payment schedule shall account for the age of the children served and account for the type of child care setting category a child is being served in. It further specifies that CCFAP provider payments will utilize an enrollment versus attendance model and decouples the STARS program from the CCFAP reimbursement schedule. Sec. 9a of this act adjusts the provider payment on July 1, 2024, to reduce the differential between family child care homes and center-based child care and preschool programs by 50 percent. Sec. 9b of this act requires DCF, in collaboration with the Joint Fiscal Office, to submit a report pertaining to future CCFAP rates.

Sec. 10 of this act establishes the child care quality and capacity incentive program, which enables the Commissioner of DCF to award child care providers with incentive payments when certain achievements are attained, including achieving a higher level in the quality rating and improvement system, increasing and maintaining infant and toddler capacity, and providing nonstandard hours of child care services. Sec. 10a of this act specifies the General Assembly's intent to appropriate at least \$10 million for the child care quality and capacity incentive annually.

Sec. 11 of this act prohibits a child care provider from charging a waitlist or application fee where the applying child qualifies for CCFAP. Sec. 12 of this act prohibits a regulated child care provider from imposing an increase in child care tuition rates that exceed 1.5 times the most recent NAICS index for education services. Sec. 12a of this act requires DCF to adopt procedures to require regulated child care providers to disclose certain ownership information as a condition of CCFAP participation. Sec. 12b of this act requires DCF to consult the Office of Racial Equity in preparing public materials and trainings related to CCFAP.

Sec. 13 of this act directs DCF to amend its rules to require that a program director is present at least 40 percent of the time that children are present. It further directs DCF to review and consider amending (1) its rule prohibiting a person or entity registered or licensed to operate a family child care home from concurrently operating another type of program and (2) eligibility policies addressing self-employment and other areas of specialized need.

Sec. 14 of this act directs the Vermont Crime Information Center to submit a report containing recommendations to streamline and improve timeliness of the background check process for child care providers. Sec. 16 of this act requires DCF to submit an implementation plan to streamline and improve the responsiveness and effectiveness of an application process for special accommodation grants.

Sec. 17 of this act removes the repeal of the student loan repayment assistance program and the repeal of a corresponding reference.

Sec. 18 of this act requires DCF provide a presentation to certain legislative committees regarding the feasibility of any progress towards establishing administrative service organizations for child care providers.

Sec. 19 of this act directs Building Bright Futures to monitor accountability, support stakeholders in defining and measuring success, and provide technical assistance related to the expansion of child care, prekindergarten, and afterschool and summer care. Sec. 20 of this act allocates monies for this purpose.

Sec. 21 of this act directs the Agency of Human Services to develop and submit an implementation plan regarding the reorganization of DCF to increase responsiveness to Vermonters and elevate the status of child care and early education within the Agency.

Sec. 23 of this act sets forth the intent of the General Assembly with respect to potential future wage requirements for child care providers.

Sec. 23a of this act requires a report on current wage information for early care and education providers.

Sec. 24 of this act establishes a payroll tax known as the Child Care Contribution that will provide funding for the Child Care Financial Assistance Program.

Sec. 25 of this act appropriates funding and establishes new positions in the Department of Taxes to implement the Child Care Contribution.

Sec. 26 of this act sets the rate of contribution to the Workers' Compensation Administrative Fund for direct calendar year premiums for workers' compensation in fiscal year 2024.

Sec. 27 of this act adds a new provision that will maintain the previous year's rate of contribution to the Workers' Compensation Administrative Fund if the General Assembly fails to adopt a new rate.

Sec. 28 of this act makes permanent a provision permitting workers to obtain a 14-day extension of workers' compensation benefits upon receipt of notice of the employer's intent to discontinue the benefits.

Sec. 29 of this act amends the provisions related to the preauthorization of workers' compensation benefits for certain expenses.

Sec. 30 of this act adds a new section regulating when a worker receiving workers' compensation benefits may be required to engage in a work search.

Secs. 31 through 34 of this act amend the provisions relating to the payment of temporary partial disability and temporary total disability workers' compensation benefits.

Sec. 35 of this act requires a report on the impacts of an increase in the dependent benefit provided as part of temporary partial disability and temporary total disability workers' compensation benefits.

Sec. 36 of this act clarifies when a worker receiving workers' compensation benefits is entitled to a cost-of-living adjustment.

Sec. 37 of this act clarifies provisions relating to when a worker can recover costs and attorney's fees in relation to a workers' compensation proceeding before the Department of Labor.

Sec. 38 of this act requires the Department of Labor to make necessary amendments to the Workers' Compensation Rules by July 1, 2024.

Secs. 39 and 40 of this act add new definitions and amend the definition of employer in relation to nonprofit organizations for purposes of unemployment insurance.

Sec. 41 of this act makes various technical amendments to provisions permitting nonprofit employers to reimburse the Unemployment Insurance Program for benefits paid to their former employees in lieu of paying payroll taxes.

Sec. 42 of this act requires the Department of Labor to develop informational materials relating to the Unemployment Insurance Program for and conduct related outreach with nonprofit and municipal employers.

Sec. 43 of this act amends the prospective repeal of an Unemployment Insurance benefit increase to correct an arithmetic error in the language.

Secs. 44 and 45 of this act require the preparation of reports related to expanding eligibility for unemployment insurance and efforts to improve utilization of the Domestic and Sexual Violence Survivors' Transitional Employment Program.

Sec. 46 of this act requires the Department of Labor to take additional actions to inform the public about the Domestic and Sexual Violence Survivors' Transitional Employment Program.

Effective Date: Multiple effective dates, beginning on June 20, 2023

Act No. 77 (H. 305). An act relating to professions and occupations regulated by the Office of Professional Regulation

Subjects: Professions and occupations

This act modifies misconduct discipline processes for professions and occupations regulated by the Office of Professional Regulation by reducing the number of appeals when an applicant is "pre-denied" a license on the basis of insufficient qualifications, as well as by enabling a board to designate a three-person panel in a disciplinary hearing or fully delegate the matter to an administrative law officer. The act also codifies remote continuing education course options for all professions and occupations regulated by the Office of Professional Regulation. The act adds cosmetology to what State correctional facilities may offer as courses of instruction without a certificate of approval. It also enables public health hygienists to use the silver modified atraumatic restorative technique. The act also modifies biennial license renewal requirements for osteopathic physicians. The act updates the duties and abilities of pharmacy technicians and adds specificity to what and to whom pharmacists may prescribe regarding self-administered hormonal contraceptives and vaccinations. It also exempts persons dispensing over-the-counter hearing aids from provisions for audiologists and hearing aid dispensers. This act corrects an incorrect cross-reference regarding the authority to perform notarial acts in the State of Vermont. This act also requires that an ongoing mental health professional licensure study also consider the potential certification of music and art therapists. Finally, this act amends the fees imposed by the Secretary of State's Office for advisor professions, board professions, and the Business Services division.

Effective Date: June 20, 2023

Act No. 78 (H. 494). An act relating to making appropriations for the support of government

Subjects: Appropriations; Big Bill; fiscal year 2024 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-2024>

Effective Date: Multiple effective dates, beginning on June 20, 2023

Act No. 79 (S. 80). An act relating to miscellaneous environmental conservation subjects

Subjects: Conservation and development; water quality financing; State revolving loan funds; dams; Petroleum Cleanup Fund

This act makes amendments to multiple miscellaneous environmental statutes. The deadline for submission of the dam registration report by the Department of Environmental Conservation (DEC) is extended from January 1, 2023 to January 1, 2025. Similarly, the deadline for DEC's submission of dam design standard rules is extended from July 1, 2022 to July 1, 2024. The act also allows an unlicensed salvage yard to operate a mobile salvage yard vehicle crusher with a liquids collection system to close the salvage yard.

The act amends multiple State revolving loan statutes. The act allows for up to \$275,000.00 from the Vermont Environmental Protection Agency (EPA) Pollution Control Revolving Fund to be transferred to the Vermont Wastewater and Potable Water Revolving Fund in fiscal year 2024. After fiscal year 2024, such a transfer can only be made if DEC submitted a comprehensive fee report and a status report on the revolving loan funds, and the General Assembly further authorizes fund transfer. The act authorizes the Bond Bank to administer the Vermont State Drinking Water Planning Loan Fund and allows the Vermont EPA Pollution Control Revolving Fund to be administered by a community development association. The act allows the Vermont EPA Pollution Control Revolving Fund to fund loans to individuals for failed wastewater or potable water supply systems. The act authorizes loans from the Vermont Wastewater and Potable Water Revolving Loan Fund to single-family and multifamily residences for failed systems or systems with a high probability of failing.

The act requires the Agency of Natural Resources (ANR) to report to the General Assembly on implementation of a State riparian protection program. The act shifts the ANR report on stormwater treatment practices in the Lake Champlain watershed from a report from the previous calendar year to a report from the previous fiscal year. The act extends until January 2024 the ANR report on implementation of the clean water service provider model to help fund and implement water quality projects at a local level. The act also delays from July 1, 2022 to July 1, 2024 the deadline for ANR's report to the General Assembly on a market-based mechanism for the trading of water quality credits.

The act repeals the authority for ANR to deny a person a solid waste hauler permit for failing a criminal background check. The act provides that a Stormwater Construction General Permit issued for emergency construction purposes will be issued according to

the public notice requirements for emergency permits. The act clarifies that a shoreland encroachment permit is effective on the date of issuance. In addition, the act removes the requirement for ANR to post failed potable water supplies on the ANR website.

The act makes multiple amendments to the statutes regulating grants from the Petroleum Cleanup Fund (PCF). The act raises the maximum funds allowed under the PCF for use for aboveground storage tank (AST) spills from \$25,000.00 to \$50,000.00. The act increases the amount of grants available to farms or residential dwellings to close, replace, or upgrade an underground storage tank (UST) or AST. The act also authorizes grants from the PCF for the replacement of a heating fuel system with an advanced wood heat system or heat pump. In addition, the act increases the maximum amount that may be expended for UST and AST assistance for farms or residential dwellings from a previous maximum of \$400,000.00 a year to a maximum of \$500,000.00 a year.

Effective Date: July 1, 2023.

Act No. 80 (S. 103). An act relating to amending the prohibitions against discrimination

Subjects: Labor; employment practices; discrimination; equal pay; agreements not to compete; fair employment; public accommodations

This act amends the Fair Employment Practices Act to:

- prohibit pay discrimination on the basis of race, national origin, sexual orientation, gender identity, and disability;
- prohibit agreements to settle a claim of employment discrimination from including a provision that prevents the employee from working for the employer or an affiliate of the employer in the future;
- provide that harassment and discrimination need not be severe or pervasive to be unlawful;
- provide that, except when an employee is alleging pay discrimination or disparate impact discrimination, the employee is not required to identify another employee to whom the employee's treatment can be compared for purposes of showing that unlawful discrimination occurred; and
- define and provide statutory direction on the interpretation of the term "harass" for purposes of employment discrimination.

This act also amends the Fair Housing and Public Accommodations Act to:

- define and provide statutory direction on the interpretation of the term "harass" for purposes of public accommodations discrimination; and
- provide that harassment and discrimination need not be severe or pervasive to be unlawful.

Effective Date: July 1, 2023

Act No. 81 (H. 171). An act relating to adult protective services and emergency housing transition

Subjects: Human services; vulnerable adults; adult protective services

Secs. 1–4 of this act pertain to adult protective services rendered as the result of a substantiated report of abuse, neglect, or exploitation of a vulnerable adult submitted to the Department of Disabilities, Aging, and Independent Living. Secs. 1 and 2 of this act amend the existing subchapters 1 and 2 of 33 V.S.A. chapter 69 to modernize the State’s adult protective services program and to bring the program into alignment with best practices utilized in other states. This modernization includes the addition of and amendment to multiple definitions, including “abuse,” “neglect,” “exploitation,” and “vulnerable adult.” Sec. 3 of this act makes a conforming change in Title 18 related to who may file a petition for review of an advance directive with the Superior Court. Sec. 4 of this act requires the Department of Disabilities, Aging, and Independent Living, in collaboration with the Department of Financial Regulation and representatives of financial institutions, to submit a report to the General Assembly proposing legislative changes to protect vulnerable adults from financial abuse, neglect, and exploitation.

Secs. 5–10 of this act address the conclusion of Vermont’s pandemic-era General Assistance Emergency Housing Program on June 30, 2023, and establish the parameters of the emergency housing transition benefit for individuals who were participating in the Program on that date. Sec. 6 of this act directs that, not later than April 1, 2024, the Agency of Human Services, directly or through its community partners, must assist in finding or offer an alternative housing placement to each household that was housed in a hotel or motel provided through the Program on June 30, 2023, unless the household secures its own housing. The Agency must continue providing temporary housing in a hotel or motel until the household secures housing or receives an alternative housing placement, but in no event beyond April 1, 2024. This section outlines the conditions that a household must meet to receive the emergency housing transition benefit, including participating in coordinated entry and case management processes and contributing 30 percent of gross income toward the cost of the hotel or motel housing that the household occupies. Sec. 6 of this act also requires the Agency of Human Services and the Vermont Housing and Conservation Board to provide monthly reports to various committees of the General Assembly on the status of the emergency housing transition benefit and the expansion of Vermont’s housing capacity. The section also requires the Agency of Human Services to submit a one-time report to the General Assembly in April 2024 detailing how many households who received the emergency housing transition benefit were not successfully placed in alternative housing and why such placements did not occur.

Sec. 7 of this act directs that the balance remaining in the Other Infrastructure, Essential Investments, and Reserves subaccount in the Cash Fund for Capital and Essential Investments, after the completion of all other transactions authorized from that subaccount by 2023 Acts and Resolves No. 78, be used to implement Secs. 5–10 of this act. Sec. 7 of this act also requires reporting in July 2023 on the amount of the balance made available to the Agency of Human Services and requires reporting as part of the

Agency’s fiscal year 2024 budget adjustment presentation on the amount of any unobligated funds remaining, if any, after Secs. 5–10 of this act are implemented. Sec. 8 of this act directs the Agency of Human Services to hold in reserve as much funding as possible from the Agency’s fiscal year 2023 closeout process as carryforward for potential investment in assisting households to transition from the pandemic-era General Assistance Emergency Housing Program. Sec. 8 of this act specifies that the reserved funds are not to be used unless the funding described in Sec. 7 of this act is first exhausted.

Sec. 9 of this act specifies that, of the \$40 million appropriated to the Vermont Housing and Conservation Board in 2023 Acts and Resolves No. 78 for production and preservation of affordable housing units, \$10 million is to be used to provide support and enhance capacity, availability, and utilization of manufactured homes; \$4 million is to be granted to the Vermont State Housing Authority for the Manufactured Home Improvement and Repair Program; and \$5 million is to be granted to the Department of Housing and Community Development to support the Vermont Housing Improvement Program. This section also directs the Vermont Housing and Conservation Board to increase the amount of its “Homeless Unit” set aside for housing projects seeking funding from 15 to 30 percent.

Sec. 10 of this act moves up the effective date of 2023 Acts and Resolves No. 47, Sec. 2, which amends statutory provisions governing municipal zoning laws, from December 1, 2024, to July 1, 2023.

Effective Date: Multiple effective dates, beginning on June 29, 2023

Act No. M-1 (H. 46). An act relating to approval of the dissolution of Colchester Fire District No. 3

Subjects: Municipal government; dissolution; Colchester Fire District No. 3

This act approves the dissolution of Colchester Fire District No. 3 and the transfer of assets and liabilities between the Fire District and Champlain Water District pursuant to the purchasing agreement executed by each district’s authorized officers.

Effective Date: March 20, 2023

Act No. M-2 (H. 271). An act relating to approval of amendments to the charter of the Town of Springfield

Subjects: Municipal government; municipal charters; Town of Springfield; amendments

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

- remove zoning and subdivision bylaws from the list of regulations under the Town’s ordinance adoption procedure;

- require all members of the Charter Review Committee to be registered voters of the Town;
- revise the presiding town officers for municipal meetings to provide that the Board of Civil Authority may designate an Acting Clerk in the absence of the Town Clerk and Assistant Town Clerk;
- eliminate the Grand Juror from the list of Town officers appointed by the Selectboard; and
- prohibit the Town Treasurer or Selectboard members from serving as the Finance Director.

Effective Date: May 4, 2023

Act No. M-3 (H. 418). An act relating to approval of an amendment to the charter of the Town of Barre

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

This act amends the charter of the Town of Barre to remove the Lister and Constable from the list of elected Town Officials. This act also adds the Town Constable to the list of appointed Town officials. Further, this act amends the duties of the Town Assessor.

Effective Date: May 4, 2023

Act No. M-4 (H. 146). An act relating to amendments to the charter of the Northeast Kingdom Waste Management District

Subjects: Municipal government; municipal charters; Northeast Kingdom Waste Management District

This act amends the charter of the Northeast Kingdom Waste Management District to allow the Board of Supervisors to adopt the District's budget for the ensuring fiscal year.

Effective Date: May 8, 2023

Act No. M-5 (H. 150). An act relating to approval of an amendment to the charter of the Village of Alburgh

Subjects: Municipal government; municipal charters; Village of Alburgh; amendment

This act amends the charter of the Town of Alburgh to remove the Town Clerk and the Town Treasurer from the list of elected officers. This act provides that the Village Board of Trustees shall appoint both the Village Clerk and the Village Treasurer.

Effective Date: May 15, 2023

Act No. M-6 (H. 495). An act relating to the approval of the amendment to the charter of the Town of Middlebury

Subjects: Elections; local elections; annual municipal meetings; alternative procedures

This act approves the amendment to the charter of the Town of Middlebury to remove the position of Town Treasurer from the list of the Town's elected officers and add the Town Treasurer to the list of the Town's appointed officers.

Effective Date: May 25, 2023

Act No. M-7 (H. 506). An act relating to approval of amendments to the election boundary provisions of the charter of the City of Burlington

Subjects: Municipal government; municipal charters; City of Burlington; amendments

This act amends the charter of the City of Burlington to establish new district and ward boundaries for the purpose of City elections.

Effective Date: May 25, 2023

Act No. M-8 (H. 507). An act relating to approval of amendments to the polling place provisions of the charter of the City of Burlington

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

This act amends the charter of the City of Burlington to authorize the City Council, in consultation with the City Clerk's Office, ward clerks, and inspectors of election, to determine the number and location of polling places in the City.

Effective Date: May 25, 2023

Act No. M-9 (H. 508). An act relating to approval of an amendment to the ranked choice voting provisions of the charter of the City of Burlington

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

This act amends the charter of the City of Burlington to authorize the election of Mayor, school commissioners, and ward election officers by a system of ranked choice voting.

Effective Date: May 27, 2023

Act No. M-10 (H. 488). An act relating to approval of the adoption of the charter of the Town of Ludlow

Subjects: Municipal government; municipal charters; amendment; Town of Ludlow

This act amends the charter of the Town of Ludlow to allow the Selectboard to determine the articles to be voted upon by Australian ballot at a special or annual Town meeting.

Effective Date: June 8, 2023

Act No. M-11 (H. 489). An act relating to approval of an amendment to the charter of the Town of Shelburne

Subjects: Municipal government; municipal charters; Town of Shelburne; amendment

This act approves an amendment to the charter of the Town of Shelburne to authorize the Town to adopt a one percent local option tax on sales, meals and alcoholic beverages, and rooms.

Effective Date: June 8, 2023

Act No. M-12 (H. 504). An act relating to approval of amendments to the charter of the Town of Berlin

Subjects: Municipal government; municipal charters; Town of Berlin; amendments

This act eliminates the Town Clerk as an elected office and authorizes the Town Selectboard to appoint a Town Clerk. This act also amends the Town Charter to authorize the Town Treasurer to waive the personal property or inventory tax when the total assessed value of the personal property or inventory is equal to or less than \$1,650.00 upon approval of the Selectboard.

Effective Date: June 8, 2023

Act No. M-13 (H. 505). An act relating to approval of an amendment to the charter of the City of Rutland.

Subjects: Elections; local elections; annual municipal meetings; alternative procedures

This act amends the charter of the City of Rutland to authorize the Board of Aldermen to assess a one percent local option tax on sales. The revenues from the tax will be used for deposit in any capital improvement reserve fund, reducing the deficit in any underfunded pension, or financing the construction, reconstruction, or repair of City infrastructure.

Effective Date: June 8, 2023

Act No. M-14 (H. 490). An act relating to approving the merger of the Village of Lyndonville with the Town of Lyndon

Subjects: Municipal government; municipal charters; merger; Town of Lyndon; Village of Lyndonville

This act approves the merger of the Village of Lyndonville with the Town of Lyndon, approves the adoption of the charter of the Town of Lyndon, delegates certain regulatory authority to the Town of Lyndon, establishes specific procedures for the operation of the Town government, establishes temporary provisions governing the fiscal transition to a unified property tax and merged municipal budget in 2026, and repeals the Village charter.

Effective Date: July 1, 2023

Act No. M-15 (H. 386). An act relating to approval of amendments to the charter of the Town of Brattleboro

Subjects: Municipal government; municipal charters; Town of Brattleboro; amendments

This act amends the charter of the Town of Brattleboro to define “youth voter” as a person who is 16 to 18 years of age and otherwise qualified to vote under Vermont law. This act authorizes youth voters to vote in the election of representatives for the Representative Town Meeting, Selectboard members, listers, trustees of public funds, Moderator, First Constable, and Second Constable.

Effective Date: June 20, 2023

Act No. M-16 (H. 509). An act relating to approval of amendments to the voter qualification provisions of the charter of the City of Burlington

Subjects: Municipal government; municipal charters; City of Burlington; amendments

This act amends the charter of the City of Burlington to allow City residents who are not United States citizens to vote in City and Burlington School District elections, provided that the City resident is a legal resident of the United States, is not less than 18 years of age, has taken the Voter’s Oath, and has registered to vote.

Effective Date: June 20, 2023