House Calendar

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72nd DAY OF THE ADJOURNED SESSION

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Favorable with Amendment

H. 887

An act relating to crime victim status under the Fair Employment Practices Act

Rep. Krasnow of South Burlington, for the Committee on General and Housing, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 21 V.S.A. § 495d is amended to read:

§ 495d. DEFINITIONS

As used in this subchapter:

* * *

(15) "Crime victim" means any of the following:

(A) a person who has obtained a relief from abuse order issued under 15 V.S.A. § 1103;

(B) a person who has obtained an order against stalking or sexual assault issued under 12 V.S.A. chapter 178;

(C) a person who has obtained an order against abuse of a vulnerable adult issued under 33 V.S.A. chapter 69; ~~or~~

(D)(i) a victim as defined in 13 V.S.A. § 5301, provided that the victim is identified as a crime victim in an affidavit filed by a law enforcement official with a prosecuting attorney of competent state or federal jurisdiction; and

(ii) shall include the victim's child, foster child, parent, spouse, stepchild or ward of the victim who lives with the victim, or a parent of the victim's spouse, provided that the individual is not identified in the affidavit as the defendant<u>; or</u>

<u>(E) a person who is a survivor of domestic violence, sexual assault, or stalking and who has supporting documentation from any one of the following sources:</u>

(i) a court or law enforcement or other government agency;

(ii) a domestic violence, sexual assault, or stalking assistance program;

(iii) a legal, clerical, medical, or other professional from whom the person has received counseling or other assistance concerning domestic violence, sexual assault, or stalking; or

(iv) a self-attestation by the person describing the circumstances supporting the person's status as a survivor of domestic violence, sexual assault, and stalking for which no further corroboration shall be required unless otherwise mandated by law.

* * *

(18) "Domestic violence" has the same meaning as in 15 V.S.A. § 1151 and includes the definition of "abuse" in 15 V.S.A. § 1101.

(19) "Sexual assault" has the same meaning as in 12 V.S.A. § 5131.

(20) "Stalking" has the same meaning as in 12 V.S.A. § 5131.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 8-1-2)

Favorable

H. 917

An act relating to military affairs

(Rep. Stone of Burlington will speak for the Committee on Government Operations and Military Affairs.**)**

Rep. Page of Newport City, for the Committee on Ways and Means, recommends that the bill ought to pass.

(Committee Vote: 11-0-0)

New Business

Third Reading

H. 385

An act relating to remedies and protections for victims of coerced debt

H. 556

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H. 559

An act relating to the Parole Board

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H. 757

An act relating to manufactured homes and limited equity cooperatives

H. 814

An act relating to neurological rights and the use of artificial intelligence technology in health and human services

Amendment to be offered by Rep. Cina of Burlington to H. 814

That the bill be amended in Sec. 4, responsible and ethical use of artificial intelligence in health care, human services, and education; report, in subsection (b), by striking out subdivision (1)(A) in its entirety and inserting in lieu thereof a new subdivision (1)(A) to read as follows:

(A) protections for neurological rights, protections related to neurotechnologies, and proposed definitions for relevant terminology;

H. 816

An act relating to regulating the use of artificial intelligence in the provision of mental health services

H. 927

An act relating to technical corrections for the 2026 legislative session

Committee Bill for Second Reading

H. 930

An act relating to addressing and preventing chronic absenteeism

(Rep. Hunter of Manchester will speak for the Committee on Education.**)**

Favorable with Amendment

H. 171

An act relating to Attorney General investigations into a law enforcement officer's use of a firearm

Rep. Burditt of West Rutland, for the Committee on Judiciary, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. OFFICER-INVOLVED SHOOTING PROTOCOL

(a) The General Assembly finds it is in the best interests of victims and law enforcement officers to efficiently and thoroughly conduct independent investigations of any officer-involved shooting (OIS) in Vermont. It is the intent of the General Assembly to facilitate cooperation amongst the entities responsible for investigating an OIS so there is a well-understood protocol for addressing an OIS that instills public trust in such investigations and resolves investigations in a timely manner to provide certainty to all parties involved.

(b) The Attorney General's Office (AGO), the Department of State's Attorneys and Sheriffs (DSAS), the Department of Public Safety, and the Vermont Association of Chiefs of Police shall work collaboratively to identify a protocol and best practices for independent investigations of an OIS.

(c) A protocol for interagency cooperation in an OIS investigation shall:

(1) define "officer-involved shooting" and what types of incidents trigger an investigation;

(2) define "conflict of interest" and identify the appropriate steps to manage any conflicts for law enforcement and prosecutors;

(3) delineate the process for informing the AGO and DSAS of an OIS;

(4) identify the general steps for law enforcement investigations into an OIS;

(5) describe the process for prosecutorial assessment of the investigative materials, including dual independent assessments;

(6) evaluate the process of investigation and prosecutorial review of an OIS to ensure timely criminal charging determinations, and identify and address existing barriers to timely criminal charging determinations; and

(7) outline the final outcome of an investigation and assessment of an OIS, such as clearing a law enforcement officer or filing criminal charges.

(d) To inform their efforts to develop a protocol, the entities shall examine other jurisdictions' protocols for an OIS investigation to determine best practices.

(e) On or before December 1, 2026, the entities shall submit one written report to the House and Senate Committees on Judiciary detailing their work, an agreed-upon protocol for an OIS investigation, and any legislative changes necessary, including appropriations, to effectuate the protocol.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: "An act relating to criminal justice agency protocols for an officer-involved shooting"

(Committee Vote: 10-0-1)

H. 519

An act relating to authorizing officers of the Town of Randolph Police Department to enroll in Group C of the Vermont State Employees' Retirement System

Rep. Hooper of Randolph, for the Committee on Government Operations and Military Affairs, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 3 V.S.A. § 455 is amended to read:

§ 455. DEFINITIONS

(a) As used in this subchapter:

* * *

(11) "Member" means any employee included in the membership of the Retirement System under section 457 of this title.

* * *

(F) "Group G member" means:

(i) the following employees who are first employed in the positions listed in this subdivision (F)(i) on or after July 1, 2023, or who are members of the System as of June 30, 2022, and make an irrevocable election to prospectively join Group G on or before June 30, 2023, pursuant to the terms set by the Board: facility employees of the Department of Corrections, as Department of Corrections employees who provide direct security and treatment services to offenders under supervision in the community, employees of a facility for justice-involved youth, and employees of the Vermont Psychiatric Care Hospital or its successor in interest, who provide direct patient care; ~~and~~

(ii) the following employees who are first employed in the positions listed in this subdivision (F)(ii) or first included in the membership of the System on or after January 1, 2025, or who are members of the System as of December 31, 2024, and make an irrevocable election to join Group G on or before December 31, 2024, pursuant to the terms set by the Board:

(I) all sheriffs; and

(II) deputy sheriffs who:

(aa) are employed by county sheriff's departments that participate in the Vermont Employees' Retirement System;

(bb) have attained Level II or Level III law enforcement officer certification from the Vermont Criminal Justice Council;

(cc) are required to perform law enforcement duties as the primary function of their employment; and

(dd) are not full-time deputy sheriffs compensated by the State of Vermont whose primary function is transports as defined in 24 V.S.A. § 290(b) and eligible for Group C pursuant to subdivision (9)(B) of this subsection (a); and

(iii) the following employees who are first employed in the positions listed in this subdivision (F)(iii) or first included in the membership of the System on or after January 1, 2027, or who are members of the System as of December 31, 2026, and make an irrevocable election to join Group G on or before December 31, 2026, pursuant to the terms set by the Board and who:

(I) are employed by a municipal employer that participates in the Vermont Employees' Retirement System;

(II) have attained Level II or Level III law enforcement officer certification from the Vermont Criminal Justice Council; and

(III) are required to perform law enforcement duties as the primary function of their employment.

* * *

(13) "Normal retirement date" means:

* * *

(E) with respect to a Group G member:

* * *

(v) for all sheriffs and those deputy sheriffs who meet the requirements pursuant to subdivision (11)(F)(ii) of this subsection (a), who were first included in the membership of the System on or after July 1, 2008, who were employed as of December 31, 2024, and who made an irrevocable election to prospectively join Group G on or before January 1, 2025, pursuant to the terms set by the Board, the first day of the calendar month next following the earlier of:

(I) 65 years of age and following completion of five years of creditable service;

(II) attainment of 87 points reflecting a combination of the age of the member and number of years of service; or

(III) 55 years of age and following completion of 20 years of creditable service; ~~or~~

(vi) for all sheriffs and those deputy sheriffs who meet the requirements pursuant to subdivision (11)(F)(ii) of this subsection (a), who first become a Group G member after January 1, 2025, the first day of the calendar month next following the earlier of:

(I) attainment of 55 years of age and following completion of 20 years of creditable service; or

(II) 65 years of age and following completion of five years of creditable service;

(vii) for all municipal law enforcement officers who meet the requirements pursuant to subdivision (11)(F)(iii) of this subsection (a), who were first included in the membership of the System on or before June 30, 2008, who were employed as of December 31, 2026, and who made an irrevocable election to prospectively join Group G on or before January 1, 2027, pursuant to the terms set by the Board, the first day of the calendar month next following the earlier of:

(I) 62 years of age and following completion of five years of creditable service;

(II) completion of 30 years of creditable service; or

(III) 55 years of age and following completion of 20 years of creditable service;

(viii) for all municipal law enforcement officers who meet the requirements pursuant to subdivision (11)(F)(iii) of this subsection (a), who were first included in the membership of the System on or after July 1, 2008, who were employed as of December 31, 2026, and who made an irrevocable election to prospectively join Group G on or before January 1, 2027, pursuant to the terms set by the Board, the first day of the calendar month next following the earlier of:

(I) 65 years of age and following completion of five years of creditable service;

(II) attainment of 87 points reflecting a combination of the age of the member and number of years of service; or

(III) 55 years of age and following completion of 20 years of creditable service; or

(ix) for all municipal law enforcement officers who meet the requirements pursuant to subdivision (11)(F)(iii) of this subdivision (a) who first become a Group G member after January 1, 2027, the first day of the calendar month next following the earlier of:

(I) attainment of 55 years of age and following completion of 20 years of creditable service; or

(II) 65 years of age and following completion of five years of creditable service.

* * *

Sec. 2. 3 V.S.A. § 459 is amended to read:

§ 459. NORMAL AND EARLY RETIREMENT

* * *

(b) Normal retirement allowance.

* * *

(6)(A) Upon normal retirement pursuant to subdivisions 455(a)(13)(E)(i), (iii), (iv), ~~and~~ (vi), (vii), and (ix) of this chapter, a Group G member shall receive a normal retirement allowance equal to two and one-half of a percent of the member's average final compensation times years of membership service in Group G. The maximum retirement allowance shall be 50 percent of average final compensation.

(B) Upon normal retirement pursuant to subdivisions 455(a)(13)(E)(ii) ~~and~~, (v), and (viii) of this chapter, a Group G member shall receive a normal retirement allowance equal to two and one-half of a percent of the member's average final compensation times years of membership service in Group G. The maximum retirement allowance shall be 60 percent of average final compensation.

* * *

Sec. 3. 3 V.S.A. § 489 is amended to read:

§ 489. BENEFITS

Persons who become members of the Vermont State Retirement System under this subchapter and on behalf of whom contributions are paid as provided in this subchapter shall be entitled to benefits under the Vermont State Retirement System as though they were employees of the State of Vermont. These employees shall be considered "Group F members" as defined in subdivision 455(a)(11)(E) of this title, except that:

(1) elected municipal employees shall not be subject to mandatory retirement requirements; ~~and~~

(2) sheriffs and those deputy sheriffs who meet the requirements pursuant to subdivision 455(a)(11)(F)(ii) of this chapter shall be considered members of Group G; and

(3) municipal law enforcement officers who meet the requirements pursuant to subdivision 455(a)(11)(F)(iii) of this chapter shall be considered members of Group G.

Sec. 4. ONE-TIME IRREVOCABLE ELECTION FOR MUNICIPAL LAW ENFORCEMENT OFFICERS

(a) Subject to the restrictions set forth in subdivision (b)(1) of this section, on or before September 1, 2026, the Office of the State Treasurer, in consultation with participating eligible municipalities, shall establish a list of positions newly eligible for Group G of the Vermont Employees' Retirement System, which shall be limited to municipal law enforcement officers who:

(1) are employed by a municipal employer that participates in the Vermont Employees' Retirement System;

(2) have a Level II or Level III law enforcement officer certification from the Vermont Criminal Justice Council; and

(3) are required to perform law enforcement duties as the primary function of their employment.

(b)(1) A municipal law enforcement officer who qualifies for Group G Membership pursuant to this act and that has a current Level II or Level III law enforcement officer certification from the Vermont Criminal Justice Council shall have a one-time option to transfer to Group G on or before December 1, 2026. Municipal law enforcement officers without a current Level II or Level III law enforcement officer certification from the Vermont Criminal Justice Council shall not be eligible to transfer to Group G membership. For a municipal law enforcement officer who qualifies for Group G membership who is first employed on or after December 1, 2026, but before January 1, 2027, election to join Group G under this section shall be made as soon as possible but shall be within 30 days following the employee's date of hire.

(2) Election to join the Group G plan under this section shall be irrevocable.

(c) The effective date of participation in a new group plan for those employees covered under this section and who elect to transfer to Group G shall be January 1, 2027. All past service accrued through the date of transfer shall be calculated based upon the plan in which it was accrued, with all provisions and penalties, if applicable, applied.

(d) A municipal employer employing a law enforcement officer participating in the Vermont Employees' Retirement System shall notify the Office of the State Treasurer of changes in a law enforcement officer's eligibility for Group G within 30 days after the change in eligibility pursuant to subdivision 455(11)(F)(iii) of this title.

(e) Nothing in this section shall be read to extend postretirement health or other insurance benefits to Group G municipal law enforcement officers who work for a municipal employer that participates in the Vermont Employees' Retirement System.

Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 9-0-2)

Rep. Canfield of Fair Haven, for the Committee on Ways and Means, recommends that the bill ought to pass when amended as recommended by the Committee on Government Operations and Military Affairs.

(Committee Vote: 11-0-0)

Rep. Dickinson of St. Albans Town, for the Committee on Appropriations, recommends that the bill ought to pass when amended as recommended by the Committee on Government Operations and Military Affairs.

(Committee Vote: 11-0-0)

H. 536

An act relating to toxic heavy metals in baby food products

Rep. Nelson of Derby, for the Committee on Agriculture, Food Resiliency, and Forestry, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. chapter 82 is amended to read:

CHAPTER 82. LABELING OF FOODS, DRUGS, COSMETICS, AND HAZARDOUS SUBSTANCES

Subchapter 1. ~~Labeling for Marketing and Sale~~ General Provisions

* * *

Subchapter 3. Testing and Labeling of Certain Products

§ 4091. BABY FOOD PRODUCTS

(a) As used in this section:

(1) "Baby food product" means any food manufactured, packaged, and labeled in a jar, pouch, tub, or box sold specifically for babies and children younger than two years of age. "Baby food product" does not include infant formula.

(2) "Final baby food product" means the finished baby food product and not the constituent ingredients.

(3) "Infant formula" means a commercially available milk-based or soy-based powder, concentrated liquid, or ready-to-feed substitute for human breast milk that is intended for infant consumption.

(4) "Production aggregate" means a quantity of product that is intended to have a uniform composition, character, and quality and is produced according to a master manufacturing order.

(5) "Proficient laboratory" means a laboratory that:

(A) is accredited under the standards of the International Organization for Standardization or the International Electrotechnical Commission pursuant to standard ISO/IEC 17025:2017;

(B) uses an analytical method as sensitive as the analytical method described in the U.S. FDA's *Elemental Analysis Manual for Food and Related Products*; and

(C) demonstrates proficiency in quantifying each toxic element to at least six micrograms of the toxic element to kilogram of food through an independent proficiency test by achieving a z-score that is less than or equal to plus or minus two.

(6) "QR code" means a two-dimension matrix barcode consisting of blocks arranged in a grid that can be read by an imaging device.

(7) "Representative sample" means a sample that consists of a number of units that are drawn based on rational criteria, including random sampling,

and intended to ensure that the sample accurately portrays the material being sampled.

(8) "Toxic heavy metal" means arsenic, cadmium, lead, and mercury.

(9) "URL" means a uniform resource locator.

(10) "U.S. FDA" means the U.S. Food and Drug Administration.

(b) A person shall not sell, distribute, or offer for sale any baby food product in the State that contains a toxic heavy metal that exceeds the limits established by the U.S. FDA. The provisions of this subsection shall not restrict the continued sale of inventory in stock before January 1, 2027.

(c) A manufacturer of a baby food sold or distributed in the State shall test a representative sample of each production aggregate of the manufacturer's final baby food product for toxic heavy metals. Testing of a baby food product shall be conducted by a proficient laboratory at least once a month. A manufacturer of baby food may test the final baby food product before packaging individual units for sale or distribution. Upon request of the Commissioner of Health, a manufacturer shall provide the results of the test conducted pursuant to this subsection.

(d)(1) Without requiring the provision of a universal product code or proof of purchase, a manufacturer of baby food sold or distributed in the State shall make publicly available on its website for the duration of the product shelf life of a final baby food product, plus one month, for each baby food product sold, manufactured, delivered, held, or offered for sale in the State:

(A) the name and level of each toxic heavy metal in the final baby food product as determined by the testing conducted pursuant to subsection (c) of this section;

(B) sufficient information, including the product name, universal product code, or lot or batch number, to enable consumers to identify the final baby food product; and

(C) a link to the U.S. FDA's website that provides the most recent U.S. FDA guidance and information about the health effects of toxic heavy metals on children.

(2) A baby food product that is sold online to a consumer in Vermont by either a retailer or directly from the manufacturer shall contain on the product's web page a clearly labeled link to an information page containing the information required pursuant to subdivision (1) of this subsection.

(e) If a baby food product sold or distributed in the State is tested for a toxic heavy metal subject to an action level, regulatory limit, or tolerance established by the U.S. FDA under 21 C.F.R. § 109, the manufacturer shall display on the baby food product:

(1) a label stating in a clear, legible, and conspicuous manner that more information about toxic element testing on the product is available by scanning the QR code; and

(2) a QR code or other machine-readable code that directs the consumers to the manufacturer's website or the baby food product information page providing:

(A) the test results for the toxic heavy metal; and

(B) a URL to the web page on the U.S. FDA's website that includes the most recent guidance and information about the health effects of toxic heavy metals in children.

(f) If a consumer reasonably believes, based on the information provided on the baby food product, that the baby food product is being sold in the State in violation of this section, the consumer may report the baby food product to the Department of Health.

(g) A violation of this section shall be deemed a violation of the Consumer Protection Act, 9 V.S.A. chapter 63. The Attorney General has the same authority to make rules, conduct civil investigations, enter into assurances of discontinuance, and bring civil actions, and private parties have the same rights and remedies, as provided under 9 V.S.A. chapter 63, subchapter 1.

Sec. 2. EFFECTIVE DATE

This act shall take effect on January 1, 2027.

(Committee Vote: 7-0-1)

H. 537

An act relating to the right to grow vegetable gardens

Rep. Bos-Lun of Westminster, for the Committee on Agriculture, Food Resiliency, and Forestry, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 27A V.S.A. § 1-204 is amended to read:

§ 1-204. PREEXISTING COMMON INTEREST COMMUNITIES

(a)(1) Unless excepted under section 1-203 of this title, the following sections and subdivisions of this title apply to a common interest community created in this State before January 1, 1999: sections 1-103, 1-105, 1-106, 1-107, 2-103, 2-104, and 2-121~~,~~; subdivisions 3-102(a)(1) through (6) and (11) through (16)~~,~~; and sections 3-111, 3-116, 3-118, 4-109, and 4-117 to the extent necessary to construe the applicable sections. The sections and subdivisions described in this subdivision apply only to events and circumstances occurring after December 31, 1998, and do not invalidate existing provisions of the declarations, bylaws, plats, or plans of those common interest communities.

* * *

(3) Unless excepted under section 1-203 of this title, section 3-125 of this title shall apply to all common interest communities that contain 12 or more units that may be used for residential purposes created in this State on or before January 1, 2011. Section 3-125 applies only to events and circumstances occurring after June 30, 2026, and does not invalidate existing provisions of the declarations, bylaws, plats, or plans of those common interest communities.

* * *

Sec. 2. 27A V.S.A. § 3-125 is added to read:

§ 3-125. VEGETABLE GARDENS

(a) As used in this section, “vegetable garden” means a plot of land where a person cultivates plants for personal consumption or donation and the land and activities on it are not subject to the required agricultural practices. A “vegetable garden” does not include cultivation of cannabis or any unlawful crops or substances.

(b)(1) Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a common interest community, and any provision of a governing document associated with a common interest community, such as a declaration, bylaw, or rule, that either effectively prohibits or unreasonably restricts the installation or use of a vegetable garden in areas designated for exclusive use of the unit owner or is in conflict with this section is void and unenforceable.

(2) If approval is required for the installation of a vegetable garden, the application for approval shall be processed and approved by the association in the same manner as an application for approval of an architectural modification to the common interest community and shall not be intentionally avoided or delayed. The approval or denial of an application shall be in writing. If an application is not denied in writing within 90 days from the date of receipt of the application, the application shall be deemed approved, unless that delay is the result of a reasonable request for additional information.

(3) The unit owner and each successive owner shall be responsible for all of the following:

(A) costs for the installation, maintenance, repair, removal, or replacement of the vegetable garden;

(B) costs for damage to any common element or limited common element resulting from installation, maintenance, repair, removal, or replacement;

(C) costs for water or electricity associated with the use of the vegetable garden; and

(D) disclosing to prospective buyers of the unit the existence of any vegetable garden and the related responsibilities of the unit owner under this section.

(c) This section shall not prohibit an association from enacting bylaws or rules that reasonably restrict the installation or use of a vegetable garden in an area of the common interest community designated for exclusive use of the unit owner, including:

(1) regulating the erection and installation of permanent structures;

(2) requiring that a vegetable garden be maintained in good condition if visible from the street faced by the lot or from an adjoining lot;

(3) requiring that dead plant materials and weeds are regularly cleared from the vegetable garden, with the exception of straw, mulch, compost, and other organic material intended to encourage vegetation and retention of moisture in the soil;

(4) restricting the use of property owned in common and not for the exclusive use of a unit owner; and

(5) prohibiting the use of pesticides, as that term is defined in 6 V.S.A. § 1101, or any other synthetic chemical product commonly used in the growing of plant crops.

(d)(1) An association may provide written notice to a unit owner of a violation of the bylaws or rules adopted pursuant to this section and provide the unit owner not less than 10 days to correct the violation.

(2) An association may take steps to correct a violation that remains uncorrected after the 10-day period provided to the unit owner in subdivision (1) of this subsection.

(3) Any costs to the association necessary for correcting a violation may be charged back to the unit owner.

Sec. 3. 9 V.S.A. § 4456c is added to read:

§ 4456c. VEGETABLE GARDENS

(a) As used in this section, "vegetable garden" means the outdoor cultivation of plants for personal consumption or donation and the land and activities on it are not subject to the required agricultural practices. A "vegetable garden" does not include cultivation of cannabis or any unlawful crops or substances.

(b)(1) A landlord shall permit a tenant to grow a vegetable garden in portable containers approved by the landlord in the tenant's rented space.

(2) A landlord may authorize a tenant to install a vegetable garden, other than that which is contained in portable containers, on the rental property.

(c) A landlord may place reasonable restrictions on the installation and use of vegetable gardens, including:

(1) requiring that a vegetable garden be maintained in good condition;

(2) requiring that dead plant materials and weeds are regularly cleared from the vegetable garden, with the exception of straw, mulch, compost, and other organic material intended to encourage vegetation and retention of moisture in the soil;

(3) requiring that the vegetable garden does not interfere with the maintenance of the rental property;

(4) requiring that the placement of the vegetable garden does not interfere with a tenant parking space or create a health or safety hazard, block doorways, or interfere with walkways or utility services or equipment; and

(5) prohibiting the use of pesticides, as that term is defined in 6 V.S.A. § 1101, or any other synthetic chemical product commonly used in the growing of plant crops.

(d) A landlord may require a tenant to pay for any excess water, electricity, and waste collection bills arising from the tenant's personal vegetable garden.

(e)(1) A landlord may charge a security deposit for the installation of a vegetable garden under subdivision (b)(2) of this section for the purpose of securing against damages or removal of the vegetable garden upon the termination of the rental agreement.

(2) The provisions in section 4461 of this title shall apply to a security deposit received under this subsection.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 8-0-0)

H. 550

An act relating to gender equity within Vermont's correctional facilities

Rep. Galfetti of Barre Town, for the Committee on Corrections and Institutions, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. INTENT

(a) It is the intent of the General Assembly to recognize that gender transition is a deeply personal experience that may involve some combination of social transition, legal transition, medical transition, or none of these. Some transgender, nonbinary, or intersex persons experience gender dysphoria that requires medical treatment, while others do not experience gender dysphoria.

(b) It is the further intent of the General Assembly to recognize that due to safety concerns, inconsistent medical and mental health care, and insufficient education and resources, among other factors, incarceration often serves as a barrier to gender transition or recognition and that, regardless of the ways in which a person chooses or is able to express the person's gender or to take medical, social, or legal transition steps, the person deserves respect, agency, and dignity.

(c) It is the further intent of the General Assembly to recognize that, although the Department of Corrections system was built within a traditional gender framework that solely recognized the male and female genders, gender-diverse, intersex, and transgender incarcerated individuals are at a higher risk for abuse, harassment, and sexual violence.

Sec. 2. 28 V.S.A. § 3 is amended to read:

§ 3. GENERAL DEFINITIONS

As used in this title:

* * *

(5) "Gender-diverse" describes an individual with a gender identity or gender expression that is different from social and cultural expectations attributed to the person's sex at birth. This includes an individual who identifies as nonbinary, gender expansive, gender nonconforming, or other culturally diverse identities.

(6) "Gender identity" has the same meaning as in 1 V.S.A. § 144.

(7) "Gender pronoun" means a third-person singular personal pronoun, such as "he," "she," or "they."

(8) "Honorific" means a form of respectful address typically combined with an individual's surname.

(9) "Inmate" means any person, not a child, committed to the custody of the Commissioner pursuant to the law of the State and subsequently committed to a correctional facility and any person confined at a correctional facility during the pendency of a prosecution against ~~him or her~~ the person.

(10) "Intersex" describes an individual with a medical condition in which the individual's sexual or reproductive anatomy or chromosomal patterns fall outside traditional markers of female and male.

~~(6)~~(11) "Law" includes the laws and ordinances of the State, its political subdivisions, and municipalities.

~~(7)~~(12) "Law enforcement officer" means a State Police officer, a sheriff, a deputy sheriff, a municipal police officer, a constable, the Commissioner, or a member of the Department of Corrections when appointed in writing by the Commissioner and when ~~his or her~~ the member's appointment is filed in the Office of the Secretary of State. The Commissioner or such member shall have the same powers as a sheriff.

~~(8)~~(13) "Offender" means any person convicted of a crime or offense under the laws of this State, and, for purposes of work crew, a person found in civil contempt under 15 V.S.A. § 603.

~~(9)~~(14) "Supervising officer" means the highest administrative officer in charge of any correctional facility.

~~(10)~~(15) "Correctional officer" means any person who is an employee of the Department of Corrections whose official duties or job classification includes the supervision or monitoring of a person on parole, on probation, or serving any sentence of incarceration whether inside or outside a correctional facility, and who has received training, as approved by the Commissioner of Corrections, as provided in section 551a of this title.

~~(11)~~(16) "Restorative justice program" means a program developed and implemented by the Commissioner, consistent with State policy and legislative intent as provided by section 2a of this title.

~~(12)~~(17) Despite other names this concept has been given in the past or may be given in the future, "segregation" means a form of separation from the general population that may or may not include placement in a single-occupancy cell and that is used for disciplinary, administrative, or other reasons, but shall not mean confinement to an infirmary or a residential treatment setting for purposes of evaluation, treatment, or provision of services.

(18) "Transgender" describes an individual whose gender identity or gender expression is not what is typically expected for the individual's sex at birth.

Sec. 3. 28 V.S.A. § 129 is added to read:

§ 129. GENDER IDENTIFICATION AND NONDISCRIMINATION

(a) Gender identification and address. The Department shall ensure that all individuals are addressed in a manner consistent with their gender identity.

(1) During the initial intake process, and in as private a setting as possible, the Department shall ask each individual to specify the following:

(A) the individual's gender identity of female, male, transgender, gender-diverse, or intersex;

(B) the individual's gender pronoun and honorific; and

(C) for transgender, gender-diverse, or intersex individuals, the individual's request as to the gender of staff who may perform a lawful search.

(2) An individual shall not be disciplined for refusing to answer, or for not disclosing complete information in response to, the questions pursuant to subdivision (1) of this subsection.

(3) At any time after intake, an individual may inform designated facility staff of the individual's gender identity, and designated facility staff shall promptly repeat the process described in subdivision (1) of this subsection.

(4) The Department shall ensure Department staff and contractors receive gender-responsive training proportional to their level of interaction with inmates.

(b) Nondiscrimination. The Department's decision not to accommodate a transgender, gender-diverse, or intersex individual's search, classification or housing placement request shall not be based solely on the individual's:

(1) anatomy, including the genitalia;

(2) other physical characteristics; or

(3) diverse gender expression.

Sec. 4. 28 V.S.A. § 130 is added to read:

§ 130. SEARCHES

(a) The Department shall conduct any lawful searches in accordance with this section, including clothed searches, unclothed searches, urinalysis, and body scans.

(b) The Department shall not search or physically examine, or request that contractors search or physically examine, any individual for the sole purpose of determining the individual's genital status.

(c) The Department shall consider on an individualized basis whether a transgender, gender-diverse, or intersex individual's request as to the gender of staff who may perform a lawful search would best support the individual's health and safety and whether accommodating the inmate's request would pose risks to safety or security.

Sec. 5. 28 V.S.A. § 701c is added to read:

§ 701c. CLASSIFICATION AND HOUSING PLACEMENT DETERMINATIONS

(a) The Department shall make classification and housing placement determinations for transgender, gender-diverse, and intersex inmates consistent with this section.

(b) During the initial intake process, and in as private a setting as possible, the Department shall ask each transgender, gender-diverse, or intersex inmate to specify the inmate's request as to housing placement.

(c) The Department shall make classification and housing placement determinations for transgender, gender-diverse, or intersex inmates based on review by the Department's multidisciplinary review panels. The multidisciplinary review panels shall consult with medical personnel, mental health professionals with experience in gender dysphoria or gender-affirming care, and personnel who have received training aligned with nationally recognized standards for gender-affirming care.

(d) The Department shall consider on an individualized basis whether a classification or housing placement would best support a transgender, gender-diverse, or intersex inmate's health and safety and whether the placement would pose risks to safety or security. The Department may determine that a classification or housing placement would not best protect health or safety at that time, but may recommend discussing reassessment with the inmate at a later time.

(1) The Department shall give serious consideration to the inmate's classification or housing placement request. If the Department finds that accommodating the inmate's request would pose an unreasonable risk to institutional safety or security, the inmate's health or safety, or the safety or security of other inmates or staff, the Department may decide that it cannot accommodate the request.

(2) The Department shall make its classification and housing placement determinations on an objective basis.

(e) If the Department does not accommodate an inmate's classification or housing placement request, the Department shall, upon determining that it will not accommodate the request, document in writing a specific reason the Department is unable to accommodate the inmate's classification or housing placement request.

(f) The Department shall consider on an individualized basis whether placement at a facility outside the State would best support a transgender, gender-diverse, or intersex inmate's health and safety and whether the placement would pose risks to safety or security. The Department shall coordinate with any facility outside the State to assess and reassess placement determinations.

(g) The Department shall reassess an inmate's housing placement at any time if:

(1) the inmate requests a reassessment or raises concerns about the inmate's health or safety; or

(2) the inmate engages in misconduct, including conduct that poses a safety risk to the inmate or to other inmates.

(h) The Department shall give a transgender, gender-diverse, or intersex inmate's perception of health and safety serious consideration in making bed assignment and housing placement decisions, including:

(1) selecting the inmate with whom the inmate is housed to best support safety and security; and

(2) if there is an articulable risk to the inmate, removing the risk, where possible, or otherwise alleviating the risk.

Sec. 6. 28 V.S.A. § 820 is added to read:

§ 820. PRISON RAPE ELIMINATION STANDARDS

(a) The Department of Corrections shall adopt and comply with the Prison Rape Elimination Act national standards, 28 C.F.R. Part 115, in effect as of

January 1, 2024, for the prevention, detection, and monitoring of, and response to, sexual abuse in correctional facilities, including:

(1) zero tolerance of sexual abuse;

(2) contracting with other entities for the confinement of inmates;

(3) inmate or detainee supervision;

(4) heightened protection for vulnerable detained individuals;

(5) limits to different-gender viewing and searches;

(6) accommodating inmates with special needs;

(7) hiring and promotion decisions;

(8) assessment and use of monitoring technology;

(9) evidence protocol and forensic medical examinations;

(10) agreements with outside public entities and community service providers;

(11) agreements with outside law enforcement agencies;

(12) agreements with the prosecuting authority;

(13) employee training;

(14) volunteer and contractor training;

(15) inmate education;

(16) attorney and contractor notification of agency zero-tolerance policy;

(17) specialized training related to investigations;

(18) specialized training related to medical care, including mental health care;

(19) screening for risk of victimization and abusiveness;

(20) use of screening information;

(21) inmate reporting;

(22) exhaustion of administrative remedies;

(23) inmate access to outside confidential support services or legal representation;

(24) third-party reporting;

(25) staff and facility or agency head reporting duties;

(26) reporting to other confinement facilities;

(27) staff first responder duties;

(28) coordinated response;

(29) agency protection against retaliation;

(30) duty to investigate;

(31) criminal and administrative agency investigations;

(32) evidence standard for administrative investigations;

(33) disciplinary sanctions for staff;

(34) disciplinary sanctions for inmates;

(35) referrals for prosecution for inmate-on-inmate sexual abuse;

(36) medical screenings, including mental health screenings, related to history of sexual abuse;

(37) access to emergency medical services, including mental health services;

(38) ongoing medical care, including mental health care, for sexual abuse victims and abusers;

(39) immediate and ongoing access to sexual assault crisis services;

(40) sexual abuse incident reviews;

(41) data collection;

(42) data review for corrective action;

(43) data storage, publication, and destruction; and

(44) audits of standards.

(b) Starting in 2027, the Commissioner of Corrections shall annually submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions that provides the data required under 28 C.F.R. § 115.87.

(c) On or before January 15, 2027, the Commissioner of Corrections shall adopt policies to implement the provisions of subsection (a) of this section.

Sec. 7. 28 V.S.A. § 551a is amended to read:

§ 551a. LAW ENFORCEMENT POWERS OF CORRECTIONAL OFFICERS; TRAINING REQUIREMENTS

* * *

(b) The Commissioner may also authorize and designate any correctional officer as defined in subdivision 3~~(10)~~(15) of this title to become certified by the Vermont Criminal Justice Council as a law enforcement officer pursuant to the provisions of 20 V.S.A. chapter 151. The Commissioner and the Executive Director of the Vermont Criminal Justice Council shall develop curriculum subject to the approval of the Council. The Commissioner by Department policy may prescribe the use of those law enforcement powers consistent with the official duties and job descriptions of the correctional officer, and may direct that the correctional officer not carry any weapon while on duty. Any person hereby certified shall be sworn by the Commissioner.

Sec. 8. 28 V.S.A. § 127 is amended to read:

§ 127. DEPARTMENT OF CORRECTIONS; PEER SUPPORT PROGRAM; CONFIDENTIALITY

(a) As used in this section:

* * *

(7) "Staff member" means a supervising officer as defined in subdivision 3~~(9)~~(14) of this title, a correctional officer as defined in subdivision 3~~(10)~~(15) of this title, and any other employee of the Department.

* * *

Sec. 9. 28 V.S.A. § 701a is amended to read:

§ 701a. SEGREGATION OF INMATES WITH A SERIOUS FUNCTIONAL IMPAIRMENT

* * *

(b) As used in this section, "segregation" ~~shall have~~ has the same meaning as in subdivision 3~~(12)~~(17) of this title.

* * *

Sec. 10. SEARCH POLICY REVIEW

(a) On or before August 1, 2026, the Department of Corrections shall submit a revised search policy to the Joint Legislative Justice Oversight Committee.

(b) The Joint Legislative Justice Oversight Committee shall review the policy and recommend whether updates to the policy are warranted and what, if any, statutory changes might be warranted.

Sec. 11. PRISON RAPE ELIMINATION STANDARDS AND REPORTING

On or before December 15, 2027, the Department of Corrections shall submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions. The report shall identify any changes to the standards or reporting requirements under the Prison Rape Elimination Act, 34 U.S.C. §§ 30301–30309, as may be amended.

Sec. 12. GENDER-AFFIRMING CARE

On or before October 15, 2026, the Joint Legislative Justice Oversight Committee shall review current practices related to gender-affirming care in correctional settings and submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions. The report shall include recommended statutory language.

Sec. 13. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 9-2-0)

H. 585

An act relating to health insurance reforms

Rep. McFaun of Barre Town, for the Committee on Health Care, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Health Insurer Governance and Executive Compensation * * *

Sec. 1. 8 V.S.A. chapter 123 is amended to read:

CHAPTER 123. NONPROFIT HOSPITAL SERVICE CORPORATIONS

* * *

§ 4512. POWERS

(a) ~~Such~~ A hospital service corporation shall be a nonprofit sharing corporation without capital stock. It shall be maintained and operated solely for the benefit of ~~the~~ its subscribers ~~thereof~~ and shall ensure that benefits and services are balanced with the efficient and economical management of the corporation. A hospital service corporation shall not be authorized to pay money in lieu of hospital service. A person, partnership, association, or corporation shall not contract to furnish hospital service unless authorized ~~so~~ to do so pursuant to the provisions of this chapter. Corporations formed under the provisions of this chapter shall have the privileges and be subject to the provisions of Title 11B as well as the applicable provisions of this chapter. In the event of a conflict between the provisions of Title 11B and the provisions of this chapter, the latter shall control.

* * *

§ 4513. PERMIT TO ENGAGE IN BUSINESS; FOREIGN CORPORATIONS

(a) ~~At least three-fourths of the board of directors of a corporation organized under this chapter shall be composed of subscribers and members of the public. The remainder may be providers. The subscriber members of the board shall comprise at least a majority of the board. A corporation organized under this chapter shall provide for the election of its board of directors at a publicly announced meeting. As used in this section, "provider" means any person who is a provider of hospital or medical services, or who is an employee, director, trustee, or representative of a provider of such services.~~ [Repealed.]

* * *

§ 4513a. BOARD OF DIRECTORS

(a) Definitions. As used in this section:

(1) "Provider" means any person who is a provider of hospital or medical services, or who is an employee, director, trustee, or representative of a provider of such services.

(2) "Representative of the public" means any member of the board of directors appointed by the Governor. A representative of the public may be a member of the public, a subscriber, or a provider.

(b) Composition. At least three-fourths of the board of directors of a corporation organized under this chapter shall be composed of subscribers and members of the public. The remainder may be providers. The subscriber members of the board shall comprise at least a majority of the board. A corporation organized under this chapter shall provide for the election of its board of directors at a publicly announced meeting.

(c) Representatives of the public.

(1) Two voting members of the board, but in no event less than one-sixth of the board of directors, shall be representatives of the public appointed by the Governor. Unless otherwise specified in this chapter, a representative of the public shall have the same rights and responsibilities as any other member of the board of directors.

(2) The initial term of one representative of the public shall be two years and the initial term of the other representative of the public shall be three years. If there are more than two representatives of the public, their initial terms shall be divided as equally as possible between the two initial term lengths. Thereafter, each representative of the public appointed by the Governor to succeed a representative of the public shall serve a three-year term and shall serve until a successor is appointed.

(3) A representative of the public shall be terminated only by the appointing authority, by conclusion of the appointed term, or by voluntary resignation.

(4) If a vacancy occurs prior to the conclusion of the three-year term, whether by termination, resignation, or otherwise, the Governor shall appoint a new representative of the public to complete the term.

(d) Committees.

(1) The board of directors may create one or more committees and may appoint members of the board, including the representatives of the public, to serve on them.

(2) The board shall create a compensation committee to review and recommend to the full board for approval all compensation packages offered to the corporation's officers and executives.

(A) The compensation committee shall be composed of two or more members, who shall serve at the pleasure of the board of directors.

(B) At least two representatives of the public shall be voting members of the compensation committee.

(e) Guiding principles for representatives of the public. In discharging the duties of a director, including as a member of a committee, each representative of the public:

(1) shall, in determining what the representative of the public reasonably believes to be in the best interests of the hospital service corporation, consider the effects of any action or inaction on:

(A) the subscribers of the hospital service corporation;

(B) the community and societal considerations of the State of Vermont, including the principles for health care reform expressed in 18 V.S.A. § 9371; and

(C) the goal that the hospital service corporation's benefits and services should be provided at minimum cost and under efficient and economical management of the corporation;

(2) may consider any other relevant factors and the interests of any other group that the representative of the public determines are appropriate to consider; and

(3) shall not be required to give priority to the interests of any particular person or group described in subdivision (1) or (2) of this subsection over the interests of any other person or group.

(f) No violation of Title 11B. The consideration of interests and factors in the manner described in subsection (e) of this section shall not constitute a violation of Title 11B.

(g) Limitations on liability.

(1) A representative of the public is not liable for the failure of the hospital service corporation to create general or specific impacts on the community or the health care system.

(2) A representative of the public is not liable to the hospital service corporation for any action or failure to take action in the representative's official capacity if the representative of the public performed the duties of the office in compliance with Title 11B and this section. In the event of a conflict between Title 11B and this chapter, this chapter shall control.

(3) A representative of the public shall have no duty to any person who is a beneficiary of the general or specific public benefit purposes of a hospital service corporation arising solely from the person's status as a beneficiary of the general or specific public benefit.

(h) Bylaws. Any new hospital benefit corporation shall adopt bylaws in accordance with the requirements of this chapter and Title 11B. All bylaws shall be filed with the Commissioner of Financial Regulation for review and approval.

* * *

§ 4516a. EXECUTIVE COMPENSATION

(a) As used in this section:

(1) "Compensation" means total cash compensation, including base salary and annual incentive compensation.

(2) "Executives" means the president, chief executive officer, chief medical officer, chief administrative officer, chief fiscal officer, vice

presidents, and all functionally equivalent roles in a hospital service corporation.

(b)(1) On or before July 1, 2026, and prior to approving any changes to the compensation of any executive after that date, each hospital service corporation shall file with the Commissioner of Financial Regulation a statement sworn to by the chair of the corporation's board of directors and the president of the corporation that includes the following information regarding compensation paid to executives of the corporation:

(A) all compensation benchmarks utilized in connection with establishing or awarding compensation for each of the corporation's executives, including information used by any consultant, vendor, or other third party retained by the corporation;

(B) a detailed compensation survey or peer group data used by the corporation or by any consultant, vendor, or other third party retained by the corporation to establish compensation benchmarks or otherwise to establish or award compensation for each of the corporation's executives; and

(C) if any bonus or variable compensation was awarded or paid for the prior fiscal year, the criteria used to evaluate whether that compensation should be paid or awarded and the specific results that supported the payment.

(2) All information provided pursuant to this subsection shall be sufficiently detailed to allow for a comprehensive examination of the benchmarks and to enable the Commissioner or designee to perform independent computations to evaluate the benchmarks provided.

(c) The Commissioner may require the corporation to modify a group described in subdivision (b)(2) of this section if, in the Commissioner's discretion, the group contains entities that are not sufficiently similar to the corporation in terms of size, business, operations, nonprofit status, or other factors.

(d) The Commissioner may retain at the corporation's expense such outside consultants and other experts as are reasonably necessary to assist the Commissioner in evaluating the materials provided pursuant to this section. Any persons so retained shall be under the direction and control of the Commissioner and shall act in a purely advisory capacity.

(e) Nothing in this section shall be construed to preclude a corporation from segregating and designating any materials provided to the Commissioner under this section as confidential due to content that is proprietary, privileged, or otherwise confidential under Vermont law, and the Commissioner shall maintain the confidentiality of the information as appropriate under the Public Records Act.

* * *

Sec. 2. HOSPITAL SERVICE CORPORATIONS; IMPLEMENTATION OF AMENDMENTS TO 8 V.S.A. CHAPTER 123

Not later than September 1, 2026, each hospital service corporation operating in this State on July 1, 2026, shall amend its bylaws to comply with the amendments to 8 V.S.A. chapter 123 as set forth in Sec. 1 of this act. The hospital service corporation shall file its amended bylaws with the Commissioner of Financial Regulation for review and approval.

* * * Expanding Access to Association Health Plans * * *

Sec. 3. 8 V.S.A. § 4041 is amended to read:

§ 4041. GROUP HEALTH INSURANCE POLICIES; DEFINITIONS

(a) As used in this section:

(1) "Employees" includes the officers, managers, and employees of the employer; the partners, if the employer is a partnership; the officers, managers, and employees of subsidiary or affiliated corporations of a corporation employer; and the individual proprietors, partners, and employees of individuals and firms, the business of which is controlled by the insured employer through stock ownership, contract, or otherwise.

(2) "Employer" may be deemed to include any municipal or governmental entity or officer, or the appropriate officer for an unincorporated town or gore or for the Unified Towns and Gores of Essex County, as well as private individuals, partnerships, and corporations.

(b) Group health insurance is a form of health insurance that covers one or more persons, with or without their dependents, that is issued upon the following basis:

(1)(A) Under a policy issued to an employer, who is deemed the policyholder, insuring at least one employee of the employer, for the benefit of persons other than the employer.

(B) In accordance with section 3368 of this title, an employer domiciled in a jurisdiction other than Vermont that has more than 25 certificate-holder employees whose principal worksite and domicile is in Vermont and that is defined as a large group in its own jurisdiction and under the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, § 1304, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, may purchase insurance in the large group health insurance market for its Vermont-domiciled certificate-holder employees.

(2)(A) Under a policy issued:

(i) to an association, a trust, or one or more trustees of a fund established by one or more associations otherwise eligible for the issuance of a policy under this subdivision (2) and maintained, directly or indirectly, by one or more associations for the benefit of its members or a contract or plan issued by such an association or trust; or

(ii) by a "multiple employer welfare arrangement" that constitutes an "employer," as those terms are defined in the Employee Retirement Income Security Act of 1974, as amended, and accompanying U.S. Department of Labor regulations and guidance.

(B)~~(i) The association or associations shall have:~~

~~(I) a minimum of 100 persons at the time of incorporation or formation;~~

~~(II) been organized and maintained in good faith for purposes other than that of obtaining insurance;~~

~~(III) been in active existence for at least one year; and~~

~~(IV) a constitution and bylaws that provide that:~~

~~(aa) the association or associations hold regular meetings not less than annually to further purposes of the members;~~

~~(bb) except for credit unions, the association or associations collect dues or solicit contributions from members; and~~

~~(cc) the members constitute a majority of the voting power of the association for all purposes and have representation on the governing board and committees.~~

~~(ii)(I) The association or associations shall not be controlled by a health insurer, as evidenced by the operation of the association or associations.~~

~~(II) The following factors may be used as evidence to determine whether an association is a health insurer-operated association; provided, however, that the presence or absence of one or more of these factors shall not serve to limit or be dispositive of such a determination:~~

~~(aa) common board members, officers, executives, or employees;~~

~~(bb) common ownership of the health insurer and the association, or of the association and another eligible group; and~~

~~(cc) common use of office space or equipment used by the health insurer to transact insurance.~~ [Repealed.]

(C) ~~An association's members shall have a shared or common purpose that is not primarily a business or customer relationship.~~ [Repealed.]

(D)(i) A policy issued by an association shall not insure persons other than the members or employees of the association or associations, or employees of members, or all of any class or classes of employees of the association, associations, or members, together, in each case, with the employees' or members' dependents, as applicable, for the benefit of persons other than the employee's employer.

(ii) A policy issued by an association shall insure all eligible persons, except those who reject coverage in writing.

(E) An association shall not use the solicitation of insurance as the primary method of obtaining new members.

(F) If a health insurer collects membership fees or dues on behalf of an association, the health insurer shall disclose to the members of the association that the health insurer is billing and collecting membership fees and dues on behalf of the association.

(3)(A) Under a policy issued to a trust, or to one or more trustees of a fund established and maintained, directly or indirectly, by:

(i) two or more employers;

(ii) one or more labor unions or similar employee organizations; or

(iii) one or more employers and one or more labor unions or similar employee organizations.

(B)(i) A policy under this subdivision (3) must be issued to the trust or trustees for the purpose of insuring all of the employees of the employers or all of the members of the unions or organizations, or all of any class or classes of employees or members, together, in each case, with the employees' or members' dependents, as applicable, for the benefit of persons other than the employers or the unions or organizations.

(ii) A policy issued to a trust shall insure all eligible persons, except those who reject coverage in writing.

(4) Under a policy issued to any other substantially similar group that, in the discretion of the Commissioner, may be subject to the issuance of a group accident and sickness policy or contract.

Sec. 4. 8 V.S.A. § 4043 is amended to read:

§ 4043. ASSOCIATION HEALTH PLANS

(a)~~(1)~~ As used in this section, "association health plan" means ~~a policy issued to an association; to a trust; or to one or more trustees of a fund established, created, or maintained for the benefit of the members of one or more associations or a contract or plan issued by an association or trust or by a multiple employer welfare arrangement as defined in the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 et seq.~~

~~(2) No association health plan shall be issued, offered, or renewed in this State to any person other than an association that was formed or could have been formed under the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 et seq., and accompanying U.S. Department of Labor regulations and guidance, in each case, as in effect as of January 19, 2017~~ a group described in subdivision 4041(b)(2), (3), or (4) of this chapter.

(b) The Commissioner shall adopt rules pursuant to 3 V.S.A. chapter 25 regulating association health plans in order to protect Vermont consumers and promote the stability of Vermont's health insurance markets, to the extent permitted under federal law, including rules regarding licensure, solvency and reserve requirements, and rating requirements.

(c) ~~The~~ Notwithstanding any statute or rule to the contrary, the provisions of ~~section~~ sections 3661 and 4042 of this title shall apply to fully insured association health plans.

Sec. 5. ASSOCIATION HEALTH PLANS; FEDERAL LANDSCAPE; MARKET IMPACTS; RATE REVIEW; REPORT

On or before January 15, 2027, the Department of Financial Regulation shall report to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance the following information related to expanding access to association health plans beginning on January 1, 2028, as permitted by 8 V.S.A. §§ 4041 and 4043, as amended by Secs. 3 and 4 of this act:

(1) the status of federal law regarding association health plans, including the extent to which federal law would allow for the expanded access to association health plans in Vermont beginning on January 1, 2028;

(2) an analysis of the projected impacts on Vermont's health insurance markets of expanding access to association health plans beginning on January 1, 2028, including the likely effects on enrollment in and premiums for qualified health benefit plans in the individual and small group markets, using scenarios that show potential impacts over consecutive years if various percentages of healthier lives were to leave the individual and the small group markets to enroll in association health plans; and

(3) in consultation with the Green Mountain Care Board, the potential impact of expanding access to association health plans beginning on January 1, 2028, on the Green Mountain Care Board's health insurance rate review responsibilities pursuant to 8 V.S.A. § 4026.

* * * Defining "High-Dollar Claims" for Claims Edit Purposes * * *

Sec. 6. 18 V.S.A. § 9418a is amended to read:

§ 9418a. PROCESSING CLAIMS, DOWNCODING, AND ADHERENCE TO CODING RULES

* * *

(e)(1) Except as otherwise provided in subdivision (2) of this subsection, no health plan, contracting entity, covered entity, or payer shall subject any health care provider to prepayment coding validation edit review. As used in this subsection, "prepayment coding validation edit review" means any action by the health plan, contracting entity, covered entity, or payer, or by a contractor, assignee, agent, or other entity acting on its behalf, requiring a health care provider to provide medical record documentation in conjunction with or after submission of a claim for payment for health care services delivered, but before the claim has been adjudicated.

(2) Nothing in this subsection shall be construed to prohibit targeted prepayment coding validation edit review of a specific provider, provider group, or facility under certain circumstances, including evaluating ~~high-dollar~~ claims exceeding $25,000.00 per episode of care; verifying complex financial arrangements; investigating member questions; conducting post-audit monitoring; addressing a reasonable belief of fraud, waste, or abuse; or other circumstances determined by the Commissioner through a bulletin or guidance.

* * *

* * * Site-Neutral Billing for Certain Services * * *

Sec. 7. 18 V.S.A. § 9423 is added to read:

§ 9423. SITE-NEUTRAL REIMBURSEMENT FOR PHYSICAL THERAPY, OCCUPATIONAL THERAPY, AND ATHLETIC TRAINING

Each health plan shall establish and pay for all physical therapy, occupational therapy, and athletic training items and services provided to its insureds in reimbursement amounts that are uniform and consistent across all of the health plan's contracts and fee schedules, except that a plan may reimburse different amounts for items and services that are delivered in an inpatient setting. Health plans shall express each reimbursement amount as a percentage of the Medicare rate for the same item or service.

Sec. 8. SITE-NEUTRAL REIMBURSEMENT FOR PHYSICAL THERAPY, OCCUPATIONAL THERAPY, AND ATHLETIC TRAINING; IMPLEMENTATION REPORT

On or before March 1, 2027, each health insurer that is required to make site-neutral reimbursements for physical therapy, occupational therapy, and athletic training items and services pursuant to 18 V.S.A. § 9423, as added by Sec. 7 of this act, shall provide an update to the House Committee on Health Care and the Senate Committees on Health and Welfare and on Finance regarding its implementation of the site-neutral reimbursements, any trends or other financial impacts it has identified so far as a result of implementation, and any recommendations regarding the enactment of additional site-neutral reimbursement requirements.

* * * Increasing Flexibility in Health Insurance Plan Design * * *

Sec. 9. INCREASING FLEXIBILITY IN HEALTH INSURANCE PLAN DESIGN; REPORT

The Department of Vermont Health Access, in consultation with the Department of Financial Regulation, shall consider the feasibility and potential impacts on premiums and on plan design of allowing health insurers to offer health insurance plans in the large group market and at each metal level in the individual and small group markets that do not include the out-of-pocket limits for prescription drugs established in 8 V.S.A. § 4092, provided the health insurers also offer plans in the same markets that do include the out-of-pocket limits for prescription drugs established in 8 V.S.A. § 4092. On or before January 15, 2027, the Department of Vermont Health Access shall provide its findings and recommendations for increasing flexibility in health insurance plans' out-of-pocket prescription drug limits to the House Committee on

Health Care and the Senate Committees on Health and Welfare and on Finance.

* * * Annual Reporting on Health Care Sharing Plans and Arrangements * * *

Sec. 10. 8 V.S.A. chapter 115 is added to read:

CHAPTER 115. HEALTH CARE SHARING PLANS

§ 4271. HEALTH CARE SHARING PLAN OR ARRANGEMENT; REPORTING AND CERTIFICATION

(a) A person that is not authorized by the Commissioner under chapter 101, 123, 125, or 139 of this title to offer insurance in this State and that offers or intends to offer a plan or arrangement to facilitate payment or reimbursement of health care costs or services for residents of this State, regardless of whether the person is domiciled in this State or another state, shall submit to the Commissioner on or after October 1, 2026, and on or after March 1 each year thereafter:

(1) the following information:

(A) the total number of individuals and households that participated in the plan or arrangement in this State in the immediately preceding calendar year;

(B) the total number of employer groups that participated in the plan or arrangement in this State in the immediately preceding calendar year, specifying the total number of participating individuals in each participating employer group;

(C) if the person offers a plan or arrangement in other states, the total number of participants in the plan or arrangement nationally;

(D) any contracts the person has entered into with providers in this State who provide health care services to plan or arrangement participants;

(E) the total amount of fees, dues, or other payments collected by the person in the immediately preceding calendar year from individuals, employer groups, or others that participated in the plan or arrangement, specifying the percentage of fees, dues, or other payments retained by the person for administrative expenses;

(F) the total dollar amount of requests for reimbursement of health care costs or services that were submitted in this State in the immediately preceding calendar year by plan or arrangement participants or providers who provided health care services to plan or arrangement participants;

(G) the total dollar amount of requests for reimbursement of health care costs or services that were submitted in this State and were determined to qualify for reimbursement under the plan or arrangement in the immediately preceding calendar year;

(H) the total dollar amount of payments made to providers in this State in the immediately preceding calendar year for health care services that were provided to or received by plan or arrangement participants;

(I) the total dollar amount of reimbursements made to plan or arrangement participants in this State in the immediately preceding calendar year for health care services provided to or received by a plan or arrangement participant;

(J) the total number of requests for reimbursement of health care costs or services submitted in this State in the immediately preceding calendar year that were denied, expressed as a percentage of total reimbursement requests submitted in that calendar year, and the total number of reimbursement request denials that were appealed;

(K) the total dollar amount of health care expenses submitted in this State by plan or arrangement participants or providers in the immediately preceding calendar year that qualify for reimbursement pursuant to the plan or arrangement criteria but that, as of the end of that calendar year, have not been reimbursed, excluding any amounts that the plan or arrangement participants incurring the health care costs must pay before receiving reimbursement under the plan or arrangement;

(L) the estimated number of plan or arrangement participants the person anticipates in this State in the next calendar year, specifying the number of individuals, households, employer groups, and employees;

(M) a list of other states in which the person offers a plan or arrangement;

(N) a list of any third parties, other than a licensed insurance producer, that are associated with or assist the person in offering or enrolling participants in this State in the plan or arrangement, copies of any training materials provided to a third party, and a detailed accounting of any commissions or other fees or remuneration paid to a third party in the immediately preceding calendar year for:

(i) marketing, promoting, or enrolling participants in a plan or arrangement offered by the person in this State; or

(ii) operating, managing, or administering a plan or arrangement offered by the person in this State;

(O) the total number of licensed insurance producers that are associated with or assist the person in offering or enrolling participants in this State in the plan or arrangement, the total number of participants enrolled in the plan or arrangement through a licensed insurance producer, copies of any training materials provided to a producer, and a detailed accounting of any commissions or other fees or remuneration paid to a producer in the immediately preceding calendar year for marketing, promoting, or enrolling participants in a plan or arrangement offered by the person in this State;

(P) copies of any consumer-facing and marketing materials used in this State in promoting the person's plan or arrangement, including plan or arrangement descriptions, benefit descriptions, and other materials that explain the plan or arrangement;

(Q) the name, mailing address, email address, and telephone number of an individual serving as a contact for the person in this State;

(R) a list of any parent companies, subsidiaries, and other names that the person has operated under at any time within the immediately preceding five calendar years; and

(S) an organizational chart of the person and a list of the officers and directors of the person; and

(2) a certification by an officer of the person that, to the best of the person's good-faith knowledge and belief, the information submitted is accurate and satisfies the requirements of this subsection.

(b)(1) If a person subject to the requirements of subsection (a) of this section fails to submit the information required by that subsection, the submission is incomplete. The Commissioner shall make a determination of completeness not later than 45 days after the submission is received. If the Commissioner has not informed the person of any deficiencies in the submission within 45 days after receiving the submission, the submission is considered complete.

(2)(A) If the Commissioner determines that a person has failed to comply with the requirements of subsection (a) of this section, the Commissioner shall:

(i) notify the person that the submission is incomplete and enumerate in the notification each deficiency found in the person's submission; and

(ii) allow the person 30 days after notice of the incomplete submission to remedy the deficiency found in the submission.

(B) If the person does not remedy the deficiency within the 30-day period, the Commissioner may impose an administrative penalty not to exceed $5,000.00 per day.

(C) If the person does not remedy the deficiency or deficiencies within 30 days after the initial administrative penalty is imposed, the Commissioner may issue a cease and desist order pursuant to section 2110 of this title.

(c) On or before April 1, 2027, and on or before each October 1 thereafter, the Commissioner shall:

(1) prepare a written report summarizing the information submitted by persons pursuant to subsection (a) of this section; and

(2) post the report on the Department's website, along with accurate and evidence-based information about the persons that submitted information pursuant to subsection (a) of this section, including how consumers may file complaints.

(d) The Commissioner may adopt rules as necessary to implement this section.

* * * Effective Dates * * *

Sec. 11. EFFECTIVE DATES

This act shall take effect on July 1, 2026, except that:

(1) Secs. 3 and 4 (association health plans; 8 V.S.A. §§ 4041 and 4043) shall take effect on January 1, 2028; and

(2) Sec. 7 (18 V.S.A. § 9423; site-neutral reimbursements for physical therapy, occupational therapy, and athletic training) shall take effect on October 1, 2026, and shall apply to provider contracts that are entered into, amended, renewed, or otherwise take effect on and after that date.

(Committee Vote: 8-3-0)

Amendment to be offered by Rep. Logan of Burlington to the report of the Committee on Health Care on H. 585

By striking out Secs. 1, 8 V.S.A. chapter 123, and 2, hospital service corporations; implementation of amendments to 8 V.S.A. chapter 123, and their reader assistance heading in their entireties and inserting in lieu thereof new Secs. 1 and 2 to read as follows:

Sec. 1. [Deleted.]

Sec. 2. [Deleted.]

Amendment to be offered by Rep. North of Ferrisburgh to the report of the Committee on Health Care on H. 585

By striking out Sec. 10, 8 V.S.A. chapter 115, health care sharing plans, and its reader assistance heading in their entireties and inserting lieu thereof a new Sec. 10 to read as follows:

Sec. 10. [Deleted.]

H. 606

An act relating to firearms procedures

Rep. Arsenault of Williston, for the Committee on Judiciary, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 2501 is amended to read:

§ 2501. GRAND LARCENY

(a) A person who steals from the actual or constructive possession of another, other than from his or her person, money, goods, chattels, bank notes, bonds, promissory notes, bills of exchange or other bills, orders, or certificates, or a book of accounts for or concerning money, or goods due or to become due or to be delivered, or a deed or writing containing a conveyance of land, or any other valuable contract in force, or a receipt, release or defeasance, writ, process, or public record, shall be imprisoned not more than 10 years or fined not more than $5,000.00, or both, if:

(1) the money or other property stolen exceeds $900.00 in value; or

(2) the property stolen is a firearm of any value.

(b) As used in this section, “firearm” has the same meaning as in section 4017 of this title.

Sec. 2. 13 V.S.A. § 4017 is amended to read:

§ 4017. PERSONS PROHIBITED FROM POSSESSING FIREARMS; CONVICTION OF VIOLENT CRIME

(a) A person shall not possess a firearm if the person has been convicted of a violent crime.

(b) A person who violates this section shall:

(1) for a first offense, be imprisoned not more than two years or fined not more than $1,000.00, or both; or

(2) for a second or subsequent offense, be imprisoned not more than three years or fined not more than $5,000.00, or both.

(c) This section shall not apply to a person who is exempt from federal firearms restrictions under 18 U.S.C. § 925(c).

(d) As used in this section:

(1)(A) "Firearm" means:

(i) any weapon (including a starter gun) that will or is designed to or may readily be converted to expel a projectile by the action of an explosive;

(ii) the frame or receiver of any such weapon; or

(iii) any firearm muffler or firearm silencer.

(B) "Firearm" ~~shall~~ does not include an antique firearm.

(2) "Antique firearm" means:

(A) Any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898.

(B) Any replica of any firearm described in subdivision (A) of this subdivision (2) if the replica:

(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or

(ii) uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in the United States and that is not readily available in the ordinary channels of commercial trade.

(C) Any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol that is designed to use black powder or a black powder substitute and that cannot use fixed ammunition. As used in this subdivision (C), "antique firearm" ~~shall~~ does not include a weapon that incorporates a firearm frame or receiver, a firearm that is converted into a muzzle loading weapon, or any muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.

(3) "Violent crime" means:

(A)(i) A listed crime as defined in subdivision 5301(7) of this title other than:

(I) lewd or lascivious conduct as defined in section 2601 of this title;

(II) recklessly endangering another person as defined in section 1025 of this title;

(III) operating a vehicle under the influence of alcohol or other substance with either death or serious bodily injury resulting as defined in 23 V.S.A. § 1210(f) and (g);

(IV) careless or negligent operation resulting in serious bodily injury or death as defined in 23 V.S.A. § 1091(b);

(V) leaving the scene of an accident resulting in serious bodily injury or death as defined in 23 V.S.A. § 1128(b) or (c); or

(VI) a misdemeanor violation of chapter 28 of this title, relating to abuse, neglect, and exploitation of vulnerable adults; or

(ii) a comparable offense and sentence in another jurisdiction if the offense prohibits the person from possessing a firearm under 18 U.S.C. § 922(g)(1) or 18 U.S.C. § 921(a)(20).

(B) An offense involving sexual exploitation of children in violation of chapter 64 of this title~~,~~ or a comparable offense and sentence in another jurisdiction if the offense prohibits the person from possessing a firearm under 18 U.S.C. § 922(g)(1) or 18 U.S.C. § 921(a)(20).

(C) A violation of 18 V.S.A. § 4231(b)(2), (b)(3), or (c) (selling, dispensing, or trafficking cocaine); 4232(b)(2) or (b)(3) (selling or dispensing LSD); 4233(b)(2), (b)(3), or (c) (selling, dispensing, or trafficking heroin); 4234(b)(2) or (b)(3) (selling or dispensing depressants, stimulants, and narcotics); 4234a(b)(2), (b)(3), or (c) (selling, dispensing, or trafficking methamphetamine); 4235(c)(2) or (c)(3) (selling or dispensing hallucinogenic drugs); 4235a(b)(2) or (b)(3) (selling or dispensing Ecstasy), or a comparable offense and sentence in another jurisdiction if the offense prohibits the person from possessing a firearm under 18 U.S.C. § 922(g)(1) or 18 U.S.C. § 921(a)(20).

(D) A conviction of possession with intent to distribute a controlled substance other than cannabis in another jurisdiction if the offense prohibits the person from possessing a firearm under 18 U.S.C. § 922(g)(1) or 18 U.S.C. § 921(a)(20).

Sec. 3. 13 V.S.A. § 4017a is amended to read:

§ 4017a. FUGITIVES FROM JUSTICE; PERSONS SUBJECT TO FINAL RELIEF FROM ABUSE OR STALKING ORDER; PERSONS CHARGED WITH CERTAIN OFFENSES; PROHIBITION ON POSSESSION OF FIREARMS

(a) A person shall not possess a firearm if the person:

(1) is a fugitive from justice;

(2) is the subject of a final relief from abuse order issued pursuant to 15 V.S.A. § 1103;

(3) is the subject of a final order against stalking issued pursuant to 12 V.S.A. § 5133 if the order prohibits the person from possessing a firearm; ~~or~~

(4) is a person against whom charges are pending for:

(A) carrying a dangerous weapon while committing a felony in violation of section 4005 of this title;

(B) trafficking a regulated drug in violation of 18 V.S.A. chapter 84, subchapter 1; or

(C) human trafficking or aggravated human trafficking in violation of section 2652 or 2653 of this title; or

(5)(A)(i) has been found by the court to be a person in need of treatment pursuant to section 4822 of this title and:

(I) not guilty by reason of insanity of a violent crime as defined in section 4017 of this title; or

(II) incompetent to stand trial for an offense listed in subdivision (4) of this subsection (a);

(ii) is the subject of a commitment order issued by the court pursuant to section 4822 of this title and the offense charged was not a violent crime; or

(iii) is the subject of a hospitalization order issued by the court pursuant to 18 V.S.A. § 7617(b)(1) or (2) or a nonhospitalization order issued by the court pursuant to 18 V.S.A. § 7617(b)(3).

(B) Subdivision (A) of this subdivision (5) shall not apply to a person if the Family Division grants a petition for relief from firearms disability for the person pursuant to section 4825 of this title.

(b) A person who violates this section shall:

(1) for a first offense, be imprisoned not more than two years or fined not more than $1,000.00, or both; or

(2) for a second or subsequent offense, be imprisoned not more than three years or fined not more than $5,000.00, or both.

(c) As used in this section:

(1) "Firearm" has the same meaning as in section 4017 of this title.

(2) "Fugitive from justice" means a person who has fled:

(A) to avoid prosecution for a ~~crime~~ Vermont criminal offense or for an offense that would be a crime if committed in Vermont; or

(B) to avoid giving testimony in a criminal proceeding.

Sec. 4. 13 V.S.A. § 4022 is amended to read:

§ 4022. BUMP-FIRE STOCKS; MACHINE GUNS; POSSESSION PROHIBITED

(a) As used in this section~~,~~:

(1) ~~"bump-fire stock"~~ "Bump-fire stock" means a butt stock designed to be attached to a semiautomatic firearm and intended to increase the rate of fire achievable with the firearm to that of a fully automatic firearm by using the energy from the recoil of the firearm to generate a reciprocating action that facilitates the repeated activation of the trigger.

(2) "Machine gun" means any weapon that shoots, is designed to shoot, or can be readily restored to shoot automatically more than one shot without manual reloading, by a single function of the trigger. The term also includes the frame or receiver of any such weapon; any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machine gun; and any combination of parts from which a machine gun can be assembled if the parts are in the possession or under the control of a person. The term does not include any weapon or other item that is registered in the National Firearms Registration and Transfer Record maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives, or that is otherwise not subject to that registration requirement.

(b) A person shall not possess a bump-fire stock or a machine gun. A person who violates this subsection shall be imprisoned not more than one year or fined not more than $1,000.00, or both.

(c) The Department of Public Safety shall develop, promote, and execute a collection process that permits persons to voluntarily and anonymously relinquish bump-fire stocks prior to ~~the effective date of this section~~ October 1, 2018.

Sec. 5. EFFECTIVE DATE

This act shall take effect on passage.

(Committee Vote: 6-5-0)

H. 642

An act relating to youthful offender proceedings

Rep. Goodnow of Brattleboro, for the Committee on Judiciary, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 33 V.S.A. § 5285 is amended to read:

§ 5285. MODIFICATION OR REVOCATION OF DISPOSITION

(a)(1) If it appears that the youth has violated the terms of juvenile probation ordered by the court pursuant to subdivision 5284(c)(1) of this title, a motion for modification or revocation of youthful offender status may be filed in the Family Division of the Superior Court. The court shall set the motion for hearing as soon as practicable. The hearing may be joined with a hearing on a violation of conditions of probation under section 5265 of this title. A supervising juvenile or adult probation officer may detain in an adult facility a youthful offender who has attained 18 years of age for violating conditions of probation.

(2) Notwithstanding subdivision 5103(c)(2)(B) of this title, when a motion for revocation of youthful offender status is pending pursuant to this section, the Family Division's jurisdiction over the youth shall remain in effect until the youth is discharged or until probation is revoked. The Family Division may extend its jurisdiction over the youth beyond the youth's 22nd birthday to the extent necessary to maintain jurisdiction under this subdivision.

(b) A hearing under this section shall be held in accordance with section 5268 of this title.

(c)(1) If the court finds after the hearing that the youth has violated the terms of ~~his or her~~ the youth's probation, the court may:

~~(1)~~(A) maintain the youth's status as a youthful offender, with modified conditions of juvenile probation if the court deems it appropriate;

~~(2)~~(B) revoke the youth's status as a youthful offender and transfer the case with a record of the petition, affidavit, adjudication, disposition, and revocation to the Criminal Division for sentencing; or

~~(3)~~(C) transfer supervision of the youth to the Department of Corrections with all of the powers and authority of the Department and the Commissioner under Title 28, including graduated sanctions and electronic monitoring.

(2) For purposes of making its determination under subdivision (1) of this subsection, the court shall consider whether:

(A) under the criteria of subdivision 5284(a)(2) of this title, public safety will be protected by continuing to treat the youth as a youthful offender;

(B) the youth continues to be amenable to treatment or rehabilitation as a youthful offender; and

(C) there continues to be sufficient services in the juvenile court system and the Department for Children and Families and the Department of Corrections to meet the youth's treatment and rehabilitation needs.

(d) If the youth fails to appear at a probation revocation hearing under this section, the court may, unless it finds there was good cause for the failure to appear, issue an order pursuant to subsection 5108(c) of this title for an officer to pick up the youth and bring the youth to court.

(e) If a youth's status as a youthful offender is revoked and the case is transferred to the Criminal Division pursuant to subdivision ~~(c)(2)~~ (c)(1)(B) of this section, the court shall enter a conviction of guilty based on the admission to or finding of merits, hold a sentencing hearing, and impose sentence. Unless it serves the ~~interest~~ interests of justice, the case shall not be transferred back to the Family Division pursuant to section 5203 of this title. When determining an appropriate sentence, the court may take into consideration the youth's degree of progress toward or regression from rehabilitation while on youthful offender status. The Criminal Division shall have access to all Family Division records of the proceeding.

Sec. 2. 33 V.S.A. § 5288 is amended to read:

§ 5288. RIGHTS OF VICTIMS IN YOUTHFUL OFFENDER PROCEEDINGS

(a) The victim in a proceeding involving a youthful offender shall have the following rights:

(1) To be notified by the prosecutor in a timely manner:

(A) when a court proceeding is scheduled to take place and when a court proceeding ~~to~~ of which the victim has been notified will not take place as scheduled; and

(B) of any conditions of release or conditions of probation and of any restitution unless otherwise limited by court order.

(2) To be present during all court proceedings subject to the provisions of Rule 615 of the Vermont Rules of Evidence; to attend the hearing on the motion to consider youthful offender status and the disposition hearing to present a victim impact statement and to express reasonably the victim's views concerning the offense ~~and~~, the youth, and the appropriateness of youthful offender status, including testimony in support of the victim's claim for restitution; and to submit oral or written statements to the court at such other times as the court may allow. The court shall consider the victim's statement when ordering disposition.

(3) To be notified by the agency having custody of the youth before the youth is released into the community from a secure or staff-secured residential facility.

(4) To be notified by the prosecutor as to the final disposition of the case.

(5) To be notified by the prosecutor of the victim's rights under this section.

(b) In accordance with court rules, at a hearing on a motion ~~for~~ to consider youthful offender ~~treatment~~ status, the court shall ask if the victim is present and, if so, whether the victim would like to be heard regarding ~~disposition~~ the motion. In ordering youthful offender status or disposition, the court shall consider any views offered at the hearing by the victim. If the victim is not present, the court shall ask whether the victim has expressed, either orally or in writing, views regarding youthful offender status or disposition and shall take those views into consideration in ordering youthful offender status or disposition.

(c) No youthful offender proceeding shall be delayed or voided by reason of the failure to give the victim the required notice or the failure of the victim to appear.

(d) As used in this section, "victim" ~~shall have~~ has the same meaning as in 13 V.S.A. § 5301(4).

(e) This section shall not prohibit a victim from discussing underlying facts of the alleged offense that resulted in death or physical, emotional, or financial injury to the victim, provided that, unless otherwise provided by law or court order, a victim shall not disclose what occurs during a court proceeding or information learned through a court proceeding that is not an underlying fact of the alleged offense that resulted in death or physical, emotional, or financial injury to the victim.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 10-0-1)

H. 733

An act relating to the regulation of franchise agreements

Rep. Micklus of Milton, for the Committee on Commerce and Economic Development, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 11 V.S.A. chapter 15, subchapter 3 is amended to read:

Subchapter 3. Administrative Provisions for Business Organizations

* * *

§ 1654. FRANCHISE DESIGNATION

(a) As used in this section:

(1) "Filing" means an initial registration, amendment, periodic report, or other filing with the Secretary of State as the Secretary may require.

(2) "Franchisee" and "franchisor" have the same meanings as in 16 C.F.R. § 436.1.

(b) In addition to all other requirements of a person registering with the Secretary of State pursuant to State law, a person doing business in this State as a franchisor or franchisee shall, at the time of a filing:

(1) indicate that the person is operating as a franchisor or franchisee; and

(2) provide the name of the franchisor, if the person is operating as a franchisee.

* * *

Sec. 2. EFFECTIVE DATE

This act shall take effect on January 1, 2027.

and that after passage the title of the bill be amended to read: "An act relating to designating a franchise relationship"

(Committee Vote: 11-0-0)

H. 775

An act relating to creating tools for housing production

Rep. Charlton of Chester, for the Committee on General and Housing, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Special Assessment Bonds * * *

Sec. 1. 24 V.S.A. § 3257 is added to read:

§ 3257. SPECIAL ASSESSMENT BONDS

(a) Upon approval of the legislative body of the municipality and subject to subsection (c) of this section, a municipality may issue revenue bonds for the purpose of financing a public improvement for the benefit of the limited area of the municipality to be served by the improvement. A revenue bond issued under this section is issued for an essential and governmental purpose.

(b) A revenue bond issued pursuant to this section shall be payable solely and exclusively from the special assessments levied on the properties to be served by the improvement and shall not constitute general indebtedness of the municipality. No holder of a bond issued under this section shall have the right to compel any exercise of the taxing power of the municipality to pay on the bond.

(c) The municipality may issue a revenue bond pursuant to this section only if one or more of the following conditions are met:

(1) one of the following entities provides a commitment letter for the issuance:

(A) the Vermont Bond Bank;

(B) a bank regulated by the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, or the Federal Reserve Board; or

(C) a credit union regulated by the National Credit Union Administration; or

(2) a nationally recognized statistical rating organization that has an active U.S. public finance practice rates the issuance at a minimum credit rating of BBB or equivalent.

* * * Vermont Housing Special Fund * * *

Sec. 2. 10 V.S.A. § 10 is amended to read:

§ 10. VERMONT STATE TREASURER; CREDIT FACILITY FOR LOCAL INVESTMENTS

(a)(1) Notwithstanding any provision of 32 V.S.A. § 433(a) to the contrary and consistent with prudent investment principles and guidelines pursuant to 32 V.S.A. § 433(b) and (c) and the Uniform Prudent Investor Act, 14A V.S.A. chapter 9, the Vermont State Treasurer shall have the authority to establish on terms acceptable to the Treasurer:

(A) a credit facility of up to ~~10~~ 12.5 percent of the State's average cash balance ~~on terms acceptable to the Treasurer and consistent with prudent investment principles and guidelines pursuant to 32 V.S.A. § 433(b) (c) and the Uniform Prudent Investor Act, 14A V.S.A. chapter 9~~; and

(B) a credit facility of up to one percent of the State's average cash balance, provided that the credit facility established under subdivision (A) of this subdivision (1) shall be reduced by an equal amount to any credit facility amount established under this subdivision (B).

(2) The credit facility established in subdivision (1)(B) of this subsection may be used only to facilitate housing development through the bulk purchasing of off-site constructed housing and to aid in the purchase of off-site constructed housing units.

(3) Financial losses of the credit facility established in subdivision (1)(B) of this subsection shall be repaid from the Vermont Housing Special Fund established in section 12 of this title.

(b) The Treasurer may use amounts available under subsection (a) of this section to provide financing for infrastructure projects in Vermont mobile home parks and may modify the terms of such financing in the Treasurer's discretion as is necessary to promote the availability of mobile home park housing and to protect the interests of the State.

(c) Notwithstanding any provision of 32 V.S.A. § 433(a) to the contrary, and in addition to the provisions of subsection (a) ~~on~~ of this section, the Vermont State Treasurer shall have the authority to establish a credit facility of up to two and one-half percent of the State's average cash balance on terms acceptable to the Treasurer and consistent with prudent investment principles and guidelines pursuant to 32 V.S.A. § ~~433(b) (c)~~ 433(b) and (c) and the Uniform Prudent Investor Act, 14A V.S.A. chapter 9. The Treasurer may use amounts available under this subsection only to provide financing for climate infrastructure and resilience projects and may modify the terms of such financing in the Treasurer's discretion as is necessary to protect the ~~interest~~ interests of the State.

(d) Annually, on or before November 15, the Treasurer shall submit a report detailing the activities, financing, and accounting of any credit facilities created pursuant to subsection (c) of this section during the preceding calendar year to the Governor; the House Committees on Appropriations, on Commerce and Economic Development, and on Ways and Means; and the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, and on Finance.

(e) The Treasurer shall retain any interest paid on loans authorized under this section. Interest funds shall be transferred upon receipt to the Vermont Housing Special Fund established in section 12 of this title.

Sec. 3. 10 V.S.A. § 12 is added to read:

§ 12. VERMONT HOUSING SPECIAL FUND

(a) There is established the Vermont Housing Special Fund to be administered by the State Treasurer in accordance with 32 V.S.A. chapter 7, subchapter 5.

(b) The Fund shall consist of the following:

(1) any monies appropriated to the Fund by the General Assembly;

(2) any monies transferred to the Fund from the federal government, State agencies, or other governmental sources; and

(3) any interest paid on loans authorized pursuant to section 10 of this title.

(c)(1) The Treasurer shall use funds under this section to provide capital for housing projects in Vermont that, in the Treasurer's discretion, are necessary to promote the increased availability of housing, including the bulk purchasing of off-site constructed housing as authorized in subdivision 10(a)(2) of this title. This capital may be provided on terms acceptable to the Treasurer, including in the form of grants, interest-free loans, or the investment of equity stakes in housing projects.

(2) The Treasurer may use funds to pay the administrative costs necessary to support the credit facilities created in section 10 of this title.

(d)(1) The Treasurer shall credit to the Fund all interest and income derived from the deposit and investment of monies in the Fund.

(2) Any unexpended and unencumbered monies at the end of a fiscal year shall remain in the Fund.

* * * Off-Site Construction Accelerator Pilot * * *

Sec. 4. OFF-SITE CONSTRUCTION ACCELERATOR PILOT

(a) The Agency of Commerce and Community Development in collaboration with the Department of Buildings and General Services shall develop a pilot demonstration project and study that explores the possibilities of reducing housing development costs through modular construction.

(b) The pilot will consider the following elements:

(1) bulk purchasing for a single development or aggregation of multiple developments;

(2) streamlining regulatory processes by creating preapproved modular designs;

(3) creating a loan loss reserve for construction loans;

(4) off-site construction, including panelized or volumetric modular construction;

(5) establishing a statewide procurement consortium for bulk orders of modular units and materials;

(6) aligning State and local permitting; and

(7) the creation and adoption of off-site building codes.

(c)(1) As part of the pilot, the Agency shall work with the Office of the State Treasurer to identify the feasibility of the State providing a guarantee or other device to facilitate bulk purchasing of the off-site construction of homes.

(2) Prior to distributing any funds under this subsection, the Treasurer shall consult with the Department of Housing and Community Development, the Vermont State Housing Authority, the Vermont Housing Finance Agency, and the Vermont Housing and Conservation Board.

(d) The pilot shall occur in one or more municipalities willing to participate in the regulatory reforms necessary to implement the process and accept the constructed homes.

(e) A municipal planning grant shall be made available to the participating municipalities to assist in enacting the necessary regulatory reforms.

(f) On or before November 15, 2028, the Agency shall submit a written report to the House Committee on General and Housing and the Senate Committee on Economic Development, Housing and General Affairs with its findings and any recommendations for legislative action based on the success of the pilot. The report shall include information on whether to enact a statewide building code or codes for off-site construction.

* * * VHIP * * *

Sec. 5. 10 V.S.A. § 699 is amended to read:

§ 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

(a) Creation of Program.

(1) The Department of Housing and Community Development shall design and implement the Vermont Rental Housing Improvement Program, through which the Department shall award funding to statewide or regional nonprofit housing organizations, or both, to provide competitive grants and forgivable loans to private landlords for the rehabilitation, including weatherization and accessibility improvements, of eligible rental housing units.

(2) The Department shall develop statewide standards for the Program, including factors that partner organizations shall use to evaluate applications and award grants and forgivable loans. The Department may authorize partnership organizations to advance funding at the beginning of a project as part of an award.

* * *

* * * Vermont Economic Development Authority * * *

Sec. 6. 10 V.S.A. § 212 is amended to read:

§ 212. DEFINITIONS

As used in this chapter:

* * *

(6) "Eligible facility" or "eligible project" means any industrial, commercial, or agricultural enterprise or endeavor approved by the Authority used in a trade or business whether or not such business is operated for profit, including land and rights in land, air, or water; buildings; structures; machinery; and equipment of such eligible facilities or eligible projects, except that an eligible facility or project shall not include the portion of an enterprise or endeavor relating to the sale of goods at retail where such goods are manufactured primarily out of State, and except further that an eligible facility or project shall not include the portion of an enterprise or endeavor relating to

housing unless otherwise authorized in this chapter. Such enterprises or endeavors may include:

* * *

(S) After consultation with and deference to the Vermont Housing Finance Agency on applications that are eligible for financing from both the Authority and the Agency, financing for one or more of the following types of long-term care facilities licensed by the State pursuant to 33 V.S.A. chapter 71 and other applicable law, and any independent living facility, as defined in 32 V.S.A. § 9202(18), associated with the licensed facility:

(i) an assisted living residence;

(ii) a home for the terminally ill;

(iii) a nursing home;

(iv) a residential care home; and

(v) a therapeutic community residence.

(T) Any capital improvement; purchase of receivables, property, assets, commodities, bonds, or other revenue streams or related assets; working capital program or liability; or other insurance program.

<u>(U) After consultation with, and with deference to, the Vermont Housing Finance Agency on applications that are eligible for financing from both the Authority and the Agency, multiunit housing developments of five or more units when requested by, and jointly financed with, a financing lender, except that the Authority shall not finance housing developments that utilize funding issued by the Agency.</u>

* * *

* * * Municipal Plans * * *

Sec. 7. 24 V.S.A. § 4388 is added to read:

<u>§ 4388. PLANNING FOR HOUSING TARGETS</u>

<u>(a) A municipality shall:</u>

<u>(1) include within the housing element of a municipal plan an identification and analysis of existing and projected housing needs for the projected population of the jurisdiction, including the housing needs for individuals with a disability, and provide regulations that allow for the rehabilitation, improvement, or development of the number of housing units needed, as identified in the land use plan and future land use map; or</u>

(2) if the municipality cannot meet the regional housing targets developed pursuant to subdivision 4348a(a)(9) of this title, provide to the Department of Housing and Community Development an analysis of regulatory and physical constraints preventing the municipality from developing sufficient housing to meet the regional housing targets, including:

(A) a quantification of the jurisdiction's existing and projected needed housing types, including location, age, condition, and occupancy required to accommodate existing and estimated population projections;

(B) an inventory of sites, including zoned, unzoned, vacant, underutilized, and potential redevelopment sites, available to meet the jurisdiction's needed housing types;

(C) an analysis of any constraints to housing development, such as zoning, development standards, and infrastructure needs and capacity, and the identification of market-based incentives that may affect or encourage the development of needed housing types; and

(D) a detailed description of what actions the jurisdiction may take to accommodate the projected needed housing types identified in subdivision (A) of this subdivision (2), including:

(i) updates to specific zoning or municipal bylaw provisions or maps; and

(ii) updates to specific infrastructure, including municipal water and sewer capacity.

(b) The housing element of the municipal plan may incorporate by reference any information or policies identified in other housing needs assessments adopted by the governing body, identified in the regional plan, or published in the Statewide Housing Needs Assessment published by the Department of Housing and Community Development in accordance with subdivision 4348a(a)(9) of this title.

(c) The amount of detail provided in the analysis beyond the minimum criteria established in this section is at the discretion of the legislative body.

* * * Positions * * *

Sec. 8. POSITIONS

Two new permanent, full-time Grants Management Specialist Housing and Community Development classified positions are created within the Department of Housing and Community Development.

* * * Effective Date * * *

Sec. 9. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 10-0-1)

Rep. Kimbell of Woodstock, for the Committee on Ways and Means, recommends that report of the Committee on General and Housing be amended as follows:

First: In Sec. 2, 10 V.S.A. § 10, by striking out subdivision (a)(3) in its entirety.

Second: In Sec. 2, 10 V.S.A. § 10, by striking out subsection (e) in its entirety.

Third: By striking out Sec. 3, 10 V.S.A. § 12, in its entirety and inserting in lieu thereof a new Sec. 3 to read as follows:

Sec. 3. [Deleted.]

Fourth: In Sec. 7, 24 V.S.A. § 4388, by striking out subsection (a) in its entirety and inserting in lieu thereof a new subsection (a) to read as follows:

(a) A municipality shall:

(1) include within the housing element of a municipal plan an identification and analysis of existing and projected housing needs of the jurisdiction, including the housing needs for individuals with a disability, as identified in the land use plan and future land use map; or

(2) if the municipality cannot meet the regional housing targets developed pursuant to subdivision 4348a(a)(9) of this title, provide to the Department of Housing and Community Development an analysis of regulatory and physical constraints preventing the municipality from developing sufficient housing to meet the regional housing targets, including:

(A) a quantification of the jurisdiction's existing and projected needed housing types;

(B) an analysis of any constraints to housing development, such as zoning, development standards, and infrastructure needs and capacity, and the identification of market-based incentives that may affect or encourage the development of needed housing types; and

(C) a description of what actions the jurisdiction may take to accommodate the projected needed housing types identified in subdivision (A) of this subdivision (2), including:

(i) updates to specific zoning or municipal bylaw provisions or maps; and

(ii) updates to specific infrastructure, including municipal water and sewer capacity.

(Committee Vote: 9-2-0)

Rep. Dickinson of St. Albans Town, for the Committee on Appropriations, recommends that the bill be amended as recommended by the Committee on General and Housing, when further amended as recommended by the Committee on Ways and Means, and when further amended by striking out Sec. 8, Positions, in its entirety and inserting in lieu thereof a new Sec. 8 to read as follows:

Sec. 8. [Deleted.]

(Committee Vote: 11-0-0)

Amendment to be offered by Rep. Charlton of Chester to the report of the Committee on General and Housing on H. 775

In Sec. 4, off-site construction accelerator pilot, by inserting a new subsection to be subsection (g) to read as follows:

(g) The Agency of Commerce and Community Development shall cease the pilot demonstration project on June 30, 2030.

Favorable

H. 921

An act relating to alcoholic beverages

(Rep. Boyden of Cambridge will speak for the Committee on Government Operations and Military Affairs.**)**

Rep. Burkhardt of South Burlington, for the Committee on Ways and Means, recommends that the bill ought to pass.

(Committee Vote: 11-0-0)

NOTICE CALENDAR

Committee Bill for Second Reading

H. 941

An act relating to municipal regulation of agriculture

(Rep. Durfee of Shaftsbury will speak for the Committee on Agriculture, Food Resiliency, and Forestry.**)**

H. 942

An act relating to miscellaneous agricultural subjects

(Rep. Burtt of Cabot will speak for the Committee on Agriculture, Food Resiliency, and Forestry.**)**

Favorable with Amendment

H. 294

An act relating to commissary and telecommunications prices in State correctional facilities and fair compensation for incarcerated labor

Rep. Casey of Montpelier, for the Committee on Corrections and Institutions, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. INTENT

It is the intent of the General Assembly to:

(1) create conditions of incarceration that encourage the development and maintenance of the personal supports necessary for rehabilitation;

(2) mitigate the disruptions to family and community connections caused by incarceration by reducing communication barriers;

(3) divest the State from the for-profit prison industry; and

(4) inform State correctional policy decision-making with data, fiscal analysis, and agency expertise.

Sec. 2. DEPARTMENT OF CORRECTIONS; EVALUATION OF TELECOMMUNICATIONS SERVICES; REPORT

(a) On or before December 1, 2026, the Department of Corrections shall provide to the House Committee on Corrections and Institutions and the Senate Committee on Institutions a written report evaluating options for providing no-cost telecommunications services to inmates in the Department's custody that:

(1) describes the current telecommunications service model, including usage rates, costs, and contract terms under existing provider arrangements;

(2) describes alternative options for providing telecommunications services, including through nonprofit providers or as a regulated public utility;

(3) analyzes the cost to the State of each alternative, including:

(A) start-up and transition costs, both with and without Wi-Fi;

(B) ongoing operational and administrative costs;

(C) cost comparisons to the current model;

(D) impacts on Department budgets;

(E) anticipated changes in service usage and volume; and

(F) any anticipated benefits or savings, including reasonably ascertainable impacts on behavior, security, safety, and an incarcerated person's ability to sustain support systems; and

(4) identifies implementation, operational, and transition considerations for each alternative, including:

(A) administrative, technological, and contractual requirements;

(B) operational changes;

(C) implementation timeline; and

(D) any required statutory, regulatory, or policy updates.

(b) In conducting its evaluation of options for providing no-cost telecommunications services, the Department of Corrections shall, when practicable, consult with the following stakeholders:

(1) the Public Utility Commission;

(2) the Joint Fiscal Office;

(3) one or more nonprofit providers of corrections telecommunications services with operational experience;

(4) CoreCivic;

(5) representatives of families of incarcerated Vermonters or organizations representing families of incarcerated Vermonters;

(6) community-based reentry service providers;

(7) justice reform organizations;

(8) the Prison Research and Innovation Network (PRIN); and

(9) any other stakeholders or subject matter experts identified by the Commissioner of Corrections as necessary for the evaluation.

(c) The Department of Corrections shall provide to the Joint Legislative Justice Oversight Committee for the Committee's analysis and input:

(1) a first draft of the report on or before September 15, 2026; and

(2) an updated draft of the report on or before November 15, 2026.

Sec. 3. DEPARTMENT OF CORRECTIONS; WAGE IMPACT EVALUATION; REPORT

On or before December 1, 2026, the Department of Corrections shall provide to the House Committee on Corrections and Institutions and the Senate Committee on Institutions a written report evaluating the impacts of current wages for inmates in the Department's custody that:

(1) collects and analyzes the current wage levels for inmates;

(2) identifies the categories of labor performed by inmates that would otherwise be performed by the State and estimates the cost to the State of providing the same services through State employees or contracted vendors, including wage and benefit costs;

(3) compares different wage impact scenarios and estimates the impact of wage adequacy improvements on outcomes for inmates, such as maintenance of family contacts, compliance with restitution and support obligations, reentry success, and participation in facility work programs; and

(4) assesses the relationship between current wage levels and the ability of work program participants to purchase telecommunications services and commissary items.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

and that after passage the title of the bill be amended to read: "An act relating to telecommunications services and wages in correctional facilities"

(Committee Vote: 11-0-0)

Rep. Waszazak of Barre City, for the Committee on Ways and Means, recommends that the bill ought to pass when amended as recommended by the Committee on Corrections and Institutions.

(Committee Vote: 11-0-0)

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommends that the bill ought to pass when amended as recommended by the Committee on Corrections and Institutions.

(Committee Vote: 10-0-1)

H. 410

An act relating to the calculation of recidivism and other related criminology measures

Rep. Dolan of Essex Junction, for the Committee on Judiciary, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. chapter 233 is added to read:

CHAPTER 233. CRIMINOLOGY MEASURES

§ 8121. DEFINITION

As used in this chapter, "recidivism" means a relapse into criminal activity as evidenced by an individual who is convicted of a criminal offense after receiving a criminal conviction for a previous crime. The date of the recidivism event is the date of arraignment for the subsequent offense. The arraignment date is used as a proxy for when the subsequent offense was committed. The clock for calculating recidivism shall begin on the date an individual is released from incarceration or the date when an individual is sentenced to a non-custodial sentence.

§ 8122. VERMONT STATISTICAL ANALYSIS CENTER ANNUAL REPORTS

(a) Annual reports. Annually, on or before April 1, the Vermont Statistical Analysis Center (SAC) shall submit the following reports to the House and Senate Committees on Judiciary, the House Committee on Corrections and Institutions, and the Senate Committee on Institutions:

(1) Bail rates. An annualized report on bail rates, including hold without bail, monetary amounts, and bail posting information aggregated by county. The report shall include data on pretrial detainees held in Vermont correctional facilities, including the crime type and jurisdiction for which they are held.

(2) Recidivism. A report on the annual recidivism rate that measures individuals who are convicted of a criminal offense after receiving a criminal conviction for a previous crime. The recidivism rate shall be calculated using a three-year and five-year period.

(3) Arrests and clearance rates. An annualized report on arrests and clearance rates. Arrests shall be organized by crime according to data from the National Incident-Based Reporting System.

(4) Most convicted crimes.

(A) A report detailing aggregated information on the number, type, and length of sentences, including fines, for the 20 crimes with the highest number of convictions.

(B) A report detailing the total combined years of probation and incarceration sentenced by the court in the prior year. The report shall include an analysis of which crimes and counties contributed most significantly to the sentences imposed.

(b) Demographic variables. The information required pursuant to subsection (a) of this section shall include race, gender, age, and other demographic variables whenever possible.

(c) Data sharing. Notwithstanding any provision of law to the contrary, all State and local agencies and departments that possess the data necessary to compile the reports required pursuant to this section shall, upon request, provide the SAC with any data that it determines is relevant to the report. The obligation to disclose shall supersede any other legal obligation with respect to the data required pursuant to this section, and a department, agency, or other entity shall not decline to disclose data required based on any other purported legal obligation. Prior to submission of the reports required by this section, the SAC shall provide copies of drafts of the reports to State and local agencies and departments that provided the SAC with data to compile the reports and allow a reasonable time period for comment from such State and local agencies.

Sec. 2. 28 V.S.A. § 4 is amended to read:

§ 4. ~~STANDARD MEASURE OF RECIDIVISM~~

~~The Department shall calculate the rate of recidivism based upon offenders who are sentenced to more than one year of incarceration who, after release from incarceration, return to prison within three years for a conviction for a new offense or a violation of supervision resulting, and the new incarceration sentence or time served on the violation is at least 90 days.~~ [Repealed.]

Sec. 3. 28 V.S.A. § 125 is amended to read:

§ 125. CRIMINAL JUSTICE INVESTMENTS AND TRENDS; REPORT

* * *

(b) Definitions. As used in this section:

* * *

(5) ~~“Recidivism” has the same meaning as in section 4 of this title.~~ [Repealed.]

* * *

(c) Report.

* * *

(2) The report required pursuant to subdivision (1) of this subsection shall include data showing:

(A) ~~recidivism rates;~~ <u>[Repealed.]</u>

* * *

Sec. 4. VERMONT STATISTICAL ANALYSIS CENTER; APPROPRIATIONS

<u>In fiscal year 2027, the following monies are appropriated from the General Fund to the Vermont Statistical Analysis Center:</u>

<u>(1) $10,000.00 for the annual bail rates report required by 13 V.S.A. § 8122(a)(1).</u>

<u>(2) $10,000.00 for the annual recidivism report required by 13 V.S.A. § 8122(a)(2).</u>

<u>(3) $1,000.00 for the annual arrests and clearance rates report required by 13 V.S.A. § 8122(a)(3).</u>

<u>(4) $4,000.00 for the annual sentencing reports required by 13 V.S.A. § 8122(a)(4).</u>

Sec. 5. EFFECTIVE DATE

<u>This act shall take effect July 1, 2026.</u>

(Committee Vote: 10-0-1)

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommends that the report of the Committee on Judiciary be amended in Sec. 4, Vermont Statistical Analysis Center; appropriations, after the words "<u>General Fund</u>" by inserting "<u>to the Department of Public Safety for contracted support related</u>"

(Committee Vote: 11-0-0)

H. 558

An act relating to the Medicaid school-based services program

Rep. Berbeco of Winooski, for the Committee on Health Care, recommends that the bill ought to pass.

(Committee Vote: 10-0-1)

Rep. Kornheiser of Brattleboro, for the Committee on Ways and Means, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 33 V.S.A. § 1900 is amended to read:

§ 1900. DEFINITIONS

As used in this subchapter, unless otherwise indicated:

* * *

(12) "Supervisory union" has the same meaning as in 16 V.S.A. § 11 and includes a supervisory district.

Sec. 1a. 33 V.S.A. § 1904 is added to read:

§ 1904. MEDICAID SCHOOL-BASED SERVICES PROGRAM

(a)(1) It is the intent of the General Assembly that the State of Vermont maximize its receipt of federal reimbursement for medically related services provided to students who are eligible under Title XIX (Medicaid) of the Social Security Act.

(2) It is also the intent of the General Assembly that Vermont's school-based medical assistance program shall comply with all federal Medicaid requirements. As the State Medicaid agency, the Agency of Human Services shall have sole responsibility for determining and maintaining program compliance.

(b) The Agency of Education shall be responsible for coordination of the school-based medical assistance program with statewide education policy and objectives and for communicating with supervisory unions.

(c) The Agency of Human Services shall adopt rules in accordance with 3 V.S.A. chapter 25 to identify the services that are available through the school-based medical assistance program and to set forth the requirements for supervisory union participation. The rules shall include State and federal requirements for:

(1) Medicaid reimbursement;

(2) participation in a Random Moment Time Study and an electronic health records system;

(3) Medicaid cost reports;

(4) provider enrollment and trainings;

(5) service documentation;

(6) Medicaid eligibility; and

(7) any other provisions necessary for compliance with the Medicaid program.

(d)(1) The Agency of Human Services shall support supervisory unions by funding and providing the technical elements of the program necessary for federal compliance.

(2) Supervisory unions delivering medically related services pursuant to the Medicaid school-based services program shall participate in a Random Moment Time Study and an electronic health records system as directed by the Agency of Human Services to enable Medicaid billing of direct health services and Medicaid administrative claiming activities.

Sec. 2. 33 V.S.A. § 1904a is added to read:

§ 1904a. SCHOOL-BASED MEDICAID REIMBURSEMENT FUND

(a) The School-Based Medicaid Reimbursement Fund is established as a special fund to receive federal reimbursements for medically related services delivered pursuant to the Medicaid school-based services program described in section 1904 of this chapter. Monies received by the State pursuant to this section shall be transferred to the School-Based Medicaid Reimbursement Fund, which shall be administered by the Agency of Human Services, and Fund receipts shall be allocated in accordance with this section.

(b) The Department of Vermont Health Access shall pay 55 percent of the federal reimbursement monies generated by the medically related services delivered in each supervisory union pursuant to the Medicaid school-based services program to the supervisory union based on the Medicaid cost reports, service claims, and Medicaid administrative costs submitted by the supervisory union.

(c)(1) Up to 25 percent of the federal reimbursement monies generated by services delivered pursuant to the Medicaid school-based services program shall be available for the administrative costs of the Agencies of Education and of Human Services related to the collection, operations, and reporting of school-based medical assistance programs and statewide programs.

(2) The Agencies shall enter into a memorandum of understanding setting forth the processes by which Medicaid reimbursement monies available for administrative costs and statewide programs are allocated to the Agencies.

(3) The Secretaries of Education and of Human Services shall expend monies from the Fund only as appropriated by the General Assembly.

(d) At the close of each fiscal year, the Commissioner of Finance and Management shall transfer to and deposit any balance remaining in the School-Based Medicaid Reimbursement Fund into the Education Fund.

Sec. 3. 33 V.S.A. § 1904a is amended to read:

§ 1904a. SCHOOL-BASED MEDICAID REIMBURSEMENT FUND

* * *

(c)(1) Up to ~~25~~ 20 percent of the federal reimbursement monies generated by services delivered pursuant to the Medicaid school-based services program shall be available for the administrative costs of the Agencies of Education and of Human Services related to the collection, operations, and reporting of school-based medical assistance programs and statewide programs.

* * *

Sec. 4. 16 V.S.A. § 2959a is amended to read:

§ 2959a. ~~EDUCATION MEDICAID RECEIPTS~~ MEDICAID SCHOOL-BASED SERVICES PROGRAM; SUPERVISORY UNIONS AND SUPERVISORY DISTRICTS; LEGISLATIVE INTENT

~~(a)~~ It is the intent of the General Assembly that the State of Vermont ~~shall~~ maximize its receipt of federal ~~Medicaid dollars available for~~ reimbursement ~~of~~ for medically related services provided to students who are ~~Medicaid~~ eligible under Title XIX (Medicaid) of the Social Security Act. It is further the intent of the General Assembly that:

(1) each supervisory union identify special education and other students eligible for Medicaid reimbursement and, to the extent possible, submit ~~Medicaid bills for services reimbursement~~ Medicaid-compliant cost reports and service claims; and

(2) the Agencies of Education and of Human Services work with local school districts to maximize reimbursements, including services to non-IEP students.

~~(b) A Medicaid Reimbursement Special Fund is established within the Agency of Education. Funds received by the State under this section shall be transferred to the Medicaid Reimbursement Special Fund. The Fund receipts shall be allocated in accordance with this section.~~

~~(c) At least annually, the Secretary of Education shall pay to each supervisory union submitting Medicaid bills under this section 50 percent of the reimbursed funds generated by the supervisory union's bill, excluding~~

~~claims generated by State-placed students. Unless the supervisory union has agreed to use the funds to operate a supervisory unionwide program or to distribute the funds in a different manner, upon receipt, the supervisory union shall distribute the funds to its member school districts based on how the funds were generated. The Secretary may withhold payment due a supervisory union pursuant to section 2950 of this title for a Medicaid-eligible State-placed student if the supervisory union has not submitted a Medicaid claim for reimbursable services for that student.~~

~~(d) If the amount of Medicaid reimbursement funds received for services provided in the prior State fiscal year exceeds $25,000,000.00, in addition to the 50 percent of the funds paid to supervisory unions submitting Medicaid bills, 25 percent of the amounts in excess of the $25,000,000.00 shall be paid into an incentive fund created in the Agency of Education. These funds shall be used for an incentive payment to supervisory unions with student participation rates of over 80 percent in accordance with a formula to be developed by the Agency, in consultation with the Vermont Superintendents Association. For any incentive payments made subsequent to fiscal year 2007, the $25,000,000.00 threshold of this subsection shall be increased by the percentage increase of the most recent New England Economic Project Cumulative Price Index, as of November 15, for state and local government purchases of goods and services from fiscal year 2005 through the fiscal year for which the payment is being determined, plus an additional one-tenth of one percent.~~

~~(e) Supervisory unions shall use funds received under this section to pay for reasonable costs of administering the Medicaid claims process, and school districts or supervisory unions shall use funds received under this section for prevention and intervention programs in prekindergarten through grade 12. The programs shall be designed to facilitate early identification of and intervention with children with disabilities and to ensure all students achieve rigorous and challenging standards approved and adopted by the State Board or locally adopted standards. A supervisory union shall provide annual written justification to the Secretary of Education on how it or its member districts used the funds. Such annual submission shall show how the funds' use is expressly linked to those provisions of the supervisory union's action plan that directly relate to improving student performance. A supervisory union shall include in its annual report the amount of the prior year's Medicaid reimbursement revenues and the use of Medicaid funds consistent with the purposes set forth in this subsection.~~

~~(f) Up to 30 percent of Medicaid reimbursements received under this section shall be available for administrative costs of the Agencies of Education~~

~~and of Human Services related to the collection, processing, and reporting of education Medicaid reimbursements and statewide programs. The Secretaries of Education and of Human Services shall expend monies from the Fund only as appropriated by the General Assembly.~~

~~(g) Remaining reimbursed funds shall be deposited into the Education Fund.~~

Sec. 5. STAKEHOLDER ENGAGEMENT IN IMPLEMENTATION OF CHANGES TO MEDICAID SCHOOL-BASED SERVICES PROGRAM

The Agency of Human Services shall collaborate with the Agency of Education, Vermont Association of School Business Officials, Vermont Council of Special Education Administrators, and school district officials in implementing changes to the Medicaid school-based services program in accordance with this act, including:

(1) providing structured opportunities for input during the phased implementation process in order to address challenges and risks in a timely manner and minimize disruptions; and

(2) focusing on geographic diversity to ensure that the implementation process is responsive to regional variations in needs and capacity.

Sec. 6. EFFECTIVE DATE

This act shall take effect on October 1, 2026, except that Sec. 3 (33 V.S.A. § 1904a(c)(1); percentage of reimbursement monies available to Agencies of Human Services and of Education) shall take effect on July 1, 2027.

(Committee Vote: 8-1-2)

H. 583

An act relating to health care financial transactions and clinical decision making

Rep. Black of Essex, for the Committee on Health Care, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. chapter 233 is added to read:

CHAPTER 233. CLINICAL DECISION MAKING

§ 9771. DEFINITIONS

As used in this chapter:

(1) “Health care facility” has the same meaning as in section 9432 of this title.

(2) “Health care provider” has the same meaning as in section 9402 of this title.

(3) “Health care services” has the same meaning as in section 9481 of this title and includes all of the following:

(A) inpatient; outpatient; habilitative; rehabilitative; dental; palliative, including hospice; therapeutic; supportive; nursing home; home health; mental health; and substance use disorder services, provided by a health care facility;

(B) pharmacy services, including drugs, devices, and medical supplies;

(C) performance of functions to refer, arrange, and coordinate care;

(D) durable medical equipment, diagnostic equipment, surgical devices, and infusion equipment; and

(E) technology associated with providing the services and equipment set forth in subdivisions (A)–(D) of this subdivision (3), such as telehealth, electronic health records, software, claims processing, and utilization systems.

(4) “Health care staffing company” means a person engaged in the business of providing or procuring health care personnel for temporary employment or contracting by a health care facility, but does not include an individual who independently provides the individual’s own services on a temporary basis to health care facilities as an employee or contractor.

(5)(A) “Hedge fund” means a pool of funds managed by investors for the purpose of earning a return on those funds, regardless of the strategies used to manage the funds. Hedge funds include a pool of funds managed or controlled by private limited partnerships.

(B) “Hedge fund” does not include:

(i) individuals or entities that contribute, or promise to contribute, funds to a hedge fund but do not participate in the management of the hedge fund or the fund’s assets or in any change of control of the hedge fund or the fund’s assets; or

(ii) entities that solely provide or manage debt financing secured in whole or in part by the assets of a health care facility, including banks, credit unions, commercial real estate lenders, bond underwriters, and trustees.

(6) "Management services organization" means any organization or entity that contracts with a health care provider or provider organization to perform management or administrative services relating to, supporting, or facilitating the provision of health care services.

(7) "Ownership or investment interest" means any of the following:

(A) direct or indirect possession of equity in the capital, stock, or profits totaling more than five percent of an entity;

(B) interest held by an investor or group of investors who engage in the raising or returning of capital and who invest, develop, or dispose of specified assets; or

(C) interest held by a pool of funds by investors, including a pool of funds managed or controlled by private limited partnerships, if those investors or the management of that pool or private limited partnership employs investment strategies of any kind to earn a return on that pool of funds.

(8)(A) "Private equity group" means an investor or group of investors who primarily engage in the raising or returning of capital and who invest, develop, dispose of, or purchase any equity interest in assets, either as a parent company or through another entity the investor or investors completely or partially own or control.

(B) "Private equity group" does not include individuals or entities that contribute, or promise to contribute, funds to the private equity group but otherwise do not participate in the management of the private equity group or the group's assets, or in any change in control of the private equity group or the group's assets.

(9) "Provider organization" means any corporation, partnership, business trust, association, or organized group of persons that is in the business of health care delivery or management, whether incorporated or not, that represents one or more health care providers in contracting with health insurers for payment for health care services. The term includes physician organizations, physician-hospital organizations, independent practice associations, provider networks, accountable care organizations, management services organizations, and any other organization that contracts with health insurers for payment for health care services.

(10) "Significant equity investor" means:

(A) any private equity group with a direct or indirect ownership or investment interest in a health care facility or management services organization;

(B) an investor, group of investors, or other entity with a direct or indirect possession of equity in the capital, stock, or profits totaling more than 10 percent of a health care provider or provider organization; or

(C) any private equity group, investor, group of investors, or other entity with a direct or indirect controlling interest in a health care facility or management services organization or that operates the business or substantially all the real or personal property, or both, of a health care facility or management services organization under a lease, management, or operating agreement.

§ 9772. LIMITATIONS ON CONTROL OVER CLINICAL DECISION MAKING BY PRIVATE EQUITY GROUP OR HEDGE FUND

(a) The purpose of this section is to ensure that clinical decision making and treatment decisions are exclusively in the hands of health care providers and to safeguard against nonlicensed individuals or entities, such as private equity groups and hedge funds, exerting influence or control over health care delivery.

(b) A private equity group or hedge fund involved in any manner with a health care facility doing business in this State, including as an investor in a health care facility or as an investor or owner of the assets of a health care facility, shall not do any of the following with respect to the health care facility:

(1) interfere with the judgment of health care providers in making health care decisions, including any of the following:

(A) determining which diagnostic tests are appropriate for a particular condition;

(B) determining the need for referrals to or consultation with another health care provider;

(C) determining the patient's care plan, including the treatment options available to the patient; and

(D) determining how many patients a health care provider shall see in any given period of time or how many hours a health care provider shall work; or

(2) exercise control over, or be delegated the power to do, any of the following:

(A) setting clinical standards or policies, including clinical staffing levels;

(B) controlling or otherwise determining the content of patient medical records;

(C) hiring or firing health care providers, clinical staff, or medical assistants, or any combination of these, based in whole or in part on clinical competency or proficiency;

(D) setting the parameters under which a health care provider or health care facility shall enter into contractual relationships with third-party payers;

(E) setting the prices, rates, or amounts the health care facility charges for a health care provider's services;

(F) setting the clinical competency or proficiency parameters under which a health care provider shall enter into contractual relationships with other health care providers for the delivery of health care services;

(G) making decisions regarding the coding and billing of diagnoses and procedures for patient care services; and

(H) selecting or approving the selection of medical equipment and medical supplies for the health care facility.

(c) A private equity group or hedge fund, or an entity controlled directly in whole or in part by a private equity group or hedge fund, shall not enter into an agreement or arrangement with a health care facility doing business in this State if the agreement or arrangement would enable the person to interfere with the ability of health care providers to make health care decisions, as set forth in subdivision (b)(1) of this section, or to exercise control over or be delegated the powers set forth in subdivision (b)(2) of this section.

(d)(1) The organizational form of a health care facility as a sole proprietorship, partnership, foundation, or corporate entity of any kind shall not affect the applicability of this section.

(2) Nothing in this section shall be construed to prohibit an unlicensed individual or entity from providing nonclinical management, administrative, or business services to; assisting; or consulting with a health care facility doing business in this State with respect to the decisions and activities described in subdivision (b)(2) of this section, provided that a licensed health care provider retains the ultimate responsibility for or approval of those decisions and activities and the services provided do not constitute an exercise of de facto control over the administrative, business, or clinical operations of a health care facility in a manner that affects a health care provider's clinical decision making or the nature or quality of the health care services that the health care facility delivers.

(e) A health care provider who is aggrieved by the actions of a private equity group or hedge fund, or an entity controlled directly in whole or in part by a private equity group or hedge fund, in violation of this section may bring an action in Superior Court for appropriate equitable relief, actual damages, reasonable costs, and attorney's fees.

§ 9773. REPORTING OF OWNERSHIP AND CONTROL OF CERTAIN HEALTH CARE ENTITIES

(a) On or before July 1, 2026, each health care facility and each management services organization shall provide to the Green Mountain Care Board either:

(1) for a health care facility or management services organization in which one or more private equity groups or hedge funds held an ownership or investment interest as of June 1, 2026, the information required by subsection (b) of this section; or

(2) for a health care facility or management services organization in which no private equity group or hedge fund held an ownership or investment interest as of June 1, 2026, an attestation that the health care facility or management services organization currently has no private equity or hedge fund ownership or investment.

(b) Each health care facility or management services organization in which one or more private equity groups or hedge funds holds an ownership or investment interest as of June 1, 2026, shall report the following information to the Green Mountain Care Board, in a form and manner required by the Board:

(1) the name, business address, and business identification numbers for each person that, with respect to the relevant health care facility or management services organization:

(A) has an ownership or investment interest;

(B) has a controlling interest;

(C) for health care facilities only, is a management services organization; or

(D) is a significant equity investor;

(2) a current organizational chart showing the business structure of the health care facility or management services organization, including:

(A) any entity listed in subdivision (1) of this subsection (b);

(B) affiliates, including entities that control or are under common control as the health care facility or management services organization; and

(C) subsidiaries; and

(3) the health care facility's or management services organization's most recent fiscal year's profit and loss statement and balance sheet.

(c) After July 1, 2026, a health care facility or management services organization shall report the information described in subsection (b) of this section any time that:

(1) a private equity group or hedge fund takes on an ownership or investment interest in the health care facility or management services organization that had not previously been reported to the Green Mountain Care Board in accordance with subsection (b) of this section; or

(2) there is a modification to a private equity group's or hedge fund's existing ownership or investment interest in the health care facility or management services organization.

(d) The following entities are exempt from the reporting requirements set forth in this section:

(1) nursing homes, as defined in 33 V.S.A. § 7102;

(2) health care staffing companies;

(3) federally qualified health centers; and

(4) entities whose health care services delivered in Vermont are provided exclusively through telehealth, including services delivered using telemedicine and store-and-forward means, as those terms are defined in 8 V.S.A. § 4098a, and all forms of remote patient monitoring.

(e) Information provided pursuant to this section shall be public information and shall not be considered confidential, proprietary, or a trade secret, except that:

(1) any individual health care provider's taxpayer ID that is also the individual's Social Security number, and any nonbusiness telephone number, email address, physical address, or mailing address of any individual health care provider, shall be exempt from public inspection and copying under the Public Records Act and shall be kept confidential; and

(2) all profit and loss statement statements and balance sheets submitted pursuant to subdivision (b)(3) of this section shall be exempt from public inspection and copying under the Public Records Act and shall be kept confidential, except that that the Board shall provide copies of these materials,

or the information contained in them, to the Office of the Health Care Advocate, which shall not further disclose this confidential information.

(f)(1) A health care facility or management services organization that knowingly fails to report the information required by this section is liable to the State for a civil penalty of not more than $50.00 for each day, not to exceed a total of $10,000.00 for each year, that it fails to report the required information.

(2) A health care facility or management services organization that makes a material misrepresentation in a report required under this section is liable to the State for a civil penalty of not more than $25,000.00 for each material misrepresentation included in the report.

(3) The Attorney General may maintain an action in Superior Court to collect the penalties imposed in this subsection and to seek appropriate injunctive relief.

§ 9774. SHARING OF OWNERSHIP INFORMATION TO IMPROVE TRANSPARENCY

(a) On or before February 1, 2027, and every two years thereafter, the Green Mountain Care Board shall post on its website a report regarding the information provided to the Board pursuant to section 9773 of this chapter during the previous two-year period, including:

(1) the number of health care facilities and management services organizations reporting for such year, disaggregated by the business structure of each specified entity;

(2) the names, addresses, and business structure of any entities with an ownership or controlling interest in each health care facility or management services organization;

(3) any change in ownership or control for each health care facility or management services organization;

(4) any change in the tax identification number of a health care facility or management services organization; and

(5) as applicable, the name, address, tax identification number, and business structure of other affiliates under common control, subsidiaries, and management services entities as the health care facility or management services organization, including the business type and the tax identification number of each.

(b) Information provided pursuant to this section shall be public information and shall not be considered confidential, proprietary, or a trade secret; provided, however, that any individual health care provider's taxpayer ID that is also the individual's Social Security number shall be exempt from public inspection and copying under the Public Records Act and shall be kept confidential.

(c) The Green Mountain Care Board may share information reported under this chapter with the Attorney General, the Secretary of State, other State agencies, and other State officials to reduce or avoid duplication in reporting requirements or to facilitate oversight or enforcement pursuant to Vermont law, or both, and any tax identification numbers that are individual Social Security numbers and other confidential information may be shared with the Attorney General, other State agencies, and other State officials who agree to maintain the confidentiality of such information. The Board may, in consultation with the relevant State agencies, merge similar reporting requirements where appropriate.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: "An act relating to clinical decision making"

(Committee Vote: 9-2-0)

Rep. Yacovone of Morristown, for the Committee on Appropriations, recommends that the bill ought to pass when amended as recommended by the Committee on Health Care.

(Committee Vote: 10-1-0)

H. 660

An act relating to fiscal year 2027 Opioid Abatement Special Fund appropriations

Rep. Steady of Milton, for the Committee on Human Services, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Opioid Abatement Special Fund * * *

Sec. 1. APPROPRIATIONS; OPIOID ABATEMENT SPECIAL FUND

In fiscal year 2027, the following sums shall be appropriated from the Opioid Abatement Special Fund established in 18 V.S.A. § 4774:

(1)(A) $455,000.00 to the Department of Health to fund 26 outreach or case management staff positions within the preferred provider network for the provision of services that increase the motivation of and engagement with individuals with substance use disorder in settings such as police barracks, shelters, social service organizations, and elsewhere in the community.

(B) It is the intent of the General Assembly that these positions shall be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(2)(A) $1,600,000.00 to the Department of Health for recovery residences certified by the Vermont Alliance for Recovery Residences.

(B) It is the intent of the General Assembly that recovery residences be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(3)(A) $850,000.00 to the Department of Health for syringe services.

(B) It is the intent of the General Assembly that syringe services be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(4) $1,100,000.00 to the Department of Corrections to provide peer recovery center coaches in Vermont correctional facilities and in probation and parole offices to provide group and individual coaching and reentry support, which shall not be used to cover administrative expenses.

(5) $250,000.00 to the Department for Children and Families' Office of Economic Opportunity to support long-term programs at shelters for individuals experiencing homelessness, including harm-reduction supports, transportation to recovery meetings and appointments, and clinical nursing programs.

(6)(A) $900,000.00 to the Department of Health for the creation of new recovery resident beds at National Alliance for Recovery Residences (NARR) certification of level III or above.

(B) $300,000.00 to the Department of Health for the creation of new National Alliance for Recovery Residences (NARR)-certified recovery resident beds in Brattleboro, Middlebury, Addison, Randolph, Chester, St. Albans, or any other identified region of the State.

(7) $248,000.00 to the Department of Health for the Prehospital Vermont EMS Buprenorphine Treatment (PREVENT) Program to expand training for emergency service providers on carrying and administering buprenorphine after administering naloxone.

(8) $35,000.00 to the Department of Health to subsidize room and board for individuals in Rutland Mental Health Services' transitional housing program.

(9) $237,646.00 to the Department of Health for distribution to Springfield Project Action to support public safety enhancement team coordinator positions in Bennington, Springfield, Brattleboro, St. Johnsbury, and central Vermont for the purposes of providing administrative support, meeting facilitation, data tracking, outreach event coordination, and sustainability planning.

Sec. 2. 2023 Acts and Resolves No. 22, Sec. 14, as amended by 2024 Acts and Resolves No. 113, Sec. C.112, is further amended to read:

Sec. 14. APPROPRIATION; OPIOID ABATEMENT SPECIAL FUND

In fiscal year 2023, the following monies shall be appropriated from the Opioid Abatement Special Fund pursuant to 18 V.S.A. § 4774:

(1)(A) ~~$1,500,000 divided equally between four opioid treatment programs~~ $1,056,000 to cover costs associated with partnering with other health care providers to expand satellite locations for the dosing of medications, including costs associated with the satellite locations' physical facilities, staff time at the satellite locations, and staff time at opioid treatment programs to prepare medications and coordinate with satellite locations;

(B) the satellite locations established pursuant to this subdivision (1) shall be located in Addison County~~,~~ and eastern or southern Vermont~~, and in a facility operated by the Department of Corrections~~;

(2) $500,000 to establish a ~~second Chittenden Clinic Addiction Treatment Center~~ satellite location in northwestern Vermont;

* * *

Sec. 3. 2023 Acts and Resolves No. 22, Sec. 14 is amended to read:

Sec. 14. APPROPRIATION; OPIOID ABATEMENT SPECIAL FUND

In fiscal year 2023, the following monies shall be appropriated from the Opioid Abatement Special Fund pursuant to 18 V.S.A. § 4774:

* * *

(6) ~~$100,000.00~~ $91,712.66 to implement a wound care telehealth consultation pilot program for the purpose of utilizing wound care experts to provide telehealth drop-in appointments to address syringe use by individuals with opioid use disorder;

* * *

Sec. 4. 2024 Acts and Resolves No. 113, Sec. B.1100 is amended to read:

Sec. B.1100 MISCELLANEOUS FISCAL YEAR 2025 ONE-TIME APPROPRIATIONS

* * *

(d) Department of Health. In fiscal year 2025, funds are appropriated for the following:

* * *

(2) ~~$1,000,000 Opioid Abatement Special Fund for grants to providers to establish community-based stabilization beds for individuals transitioning between substance use disorder residential treatment and the recovery system;~~ <u>[Repealed.]</u>

* * *

Sec. 5. 18 V.S.A. § 4772 is amended to read:

§ 4772. OPIOID SETTLEMENT ADVISORY COMMITTEE

* * *

(c) Powers and duties. The Advisory Committee shall demonstrate broad ongoing consultation with individuals living with opioid use disorder about their direct experience with related systems, including medication for opioid use disorder, residential treatment, recovery services, harm reduction services, overdose, supervision by the Department of Corrections, and involvement with the Department for Children and Families' Family Services Division. To that end, the Advisory Committee shall demonstrate consultation with individuals with direct lived experience of opioid use disorder, frontline support professionals, the Substance Misuse Oversight Prevention and Advisory Council, <u>the Health Equity Advisory Commission,</u> and other stakeholders to identify spending priorities as related to opioid use disorder prevention, intervention, treatment, and recovery services and harm reduction strategies for the purpose of providing recommendations to the Governor, the Department of Health, and the General Assembly on prioritizing spending from the Opioid Abatement Special Fund. <u>Each ongoing funding proposal considered by the Advisory Council shall include a sustainability plan from the applicant to ensure consideration of future expenses and available resources apart from the Opioid Abatement Special Fund.</u> The Advisory Committee shall consider:

(1) the impact of the opioid crisis on communities throughout Vermont, including communities' abatement needs and proposals for abatement strategies and responses;

(2) the perspectives of and proposals from opioid use disorder prevention coalitions, recovery centers, and medication for opioid use disorder providers; and

(3) the ongoing challenges of the opioid crisis on marginalized populations, including individuals who have a lived experience of opioid use disorder.

* * *

Sec. 6. FISCAL YEAR 2028 PROPOSAL SUSPENSION

The Opioid Settlement Advisory Council shall not accept new funding proposals from the Opioid Abatement Special Fund for fiscal year 2028, unless a proposal was previously identified in statute as intended for annual funding. It instead shall review the outcomes of programs and initiatives previously funded through the Opioid Abatement Special Fund to assess effectiveness and long-term sustainability, where applicable.

* * * Substance Misuse Prevention Special Fund * * *

Sec. 7. APPROPRIATION; SUBTANCE USE DISORDER PREVENTION SERVICES

In fiscal year 2027, the following monies shall be appropriated from the Substance Misuse Prevention Special Fund established pursuant to 18 V.S.A. § 4812:

(1) $288,935.00 to the Department of Health for distribution to Elevate Youth Services to support the creation of a low-barrier, drop-in teen center in Barre to provide food, activities, positive adults role models, peer counselors, prevention and recovery programming, and direct connection to treatments;

(2) $124,999.00 to the Department of Health for distribution to the Greater Falls Connections to enhance youth engagement and education and to expand prevention-focused staffing and youth programming space in response to increasing community need;

(3) $200,000.00 to the Department of Health for distribution to Interaction: Friends for Change to increase access to community-based therapy, housing, crisis, medical, recovery, and employment supports for youth in Windham County; and

(4) $26,697.00 to the Department of Health for distribution to Winooski Partnership for Prevention to provide funding for staff time and stipends for partners to deliver medicine safety education to elementary-aged youth during school with family engagement.

* * * Effective Date * * *

Sec. 8. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: "An act relating to fiscal year 2027 Opioid Abatement Special Fund and Substance Misuse Prevention Special Fund appropriations"

(Committee Vote: 10-0-1)

Rep. Bluemle of Burlington, for the Committee on Appropriations, recommends that the report of the Committee on Human Services be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. APPROPRIATIONS; OPIOID ABATEMENT SPECIAL FUND

(a) In fiscal year 2027, the following sums shall be appropriated from the Opioid Abatement Special Fund established in 18 V.S.A. § 4774:

(1)(A) $455,000.00 to the Department of Health to fund 26 outreach or case management staff positions within the preferred provider network for the provision of services that increase the motivation of and engagement with individuals with substance use disorder in settings such as police barracks, shelters, social service organizations, and elsewhere in the community.

(B) It is the intent of the General Assembly that these positions shall be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(2)(A) $1,600,000.00 to the Department of Health for recovery residences certified by the Vermont Alliance for Recovery Residences.

(B) It is the intent of the General Assembly that recovery residences be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(3)(A) $850,000.00 to the Department of Health for syringe services.

(B) It is the intent of the General Assembly that syringe services be funded annually by the Opioid Abatement Special Fund unless and until the Special Fund does not have sufficient monies to fund this expenditure.

(4) $1,100,000.00 to the Department of Corrections to provide peer recovery center coaches in Vermont correctional facilities and in probation and parole offices to provide group and individual coaching and reentry support, which shall not be used to cover administrative expenses.

(5) $250,000.00 to the Department for Children and Families' Office of Economic Opportunity to support long-term programs at shelters for individuals experiencing homelessness, including harm-reduction supports, transportation to recovery meetings and appointments, and clinical nursing programs.

(6)(A) $900,000.00 to the Department of Health for the creation of new recovery resident beds at National Alliance for Recovery Residences (NARR) certification of level III or above.

(B) $300,000.00 to the Department of Health for the creation of new National Alliance for Recovery Residences (NARR)-certified recovery resident beds in Brattleboro, Middlebury, Addison, Randolph, Chester, St. Albans, or any other identified region of the State.

(7) $248,000.00 to the Department of Health for the Prehospital Vermont EMS Buprenorphine Treatment (PREVENT) Program to expand training for emergency service providers on carrying and administering buprenorphine after administering naloxone.

(8) $35,000.00 to the Department of Health to subsidize room and board for individuals in Rutland Mental Health Services' transitional housing program.

(9) $237,646.00 to the Department of Health for distribution to Springfield Project Action to support public safety enhancement team coordinator positions in Bennington, Springfield, Brattleboro, St. Johnsbury, and central Vermont for the purposes of providing administrative support, meeting facilitation, data tracking, outreach event coordination, and sustainability planning.

(10) $288,935.00 to the Department of Health for distribution to Elevate Youth Services to support the creation of a low-barrier, drop-in teen center in Barre to provide food, activities, positive adults role models, peer counselors, prevention and recovery programming, and direct connection to treatments.

(11) $124,999.00 to the Department of Health for distribution to the Greater Falls Connections to enhance youth engagement and education and to expand prevention-focused staffing and youth programming space in response to increasing community need.

(12) $200,000.00 to the Department of Health for distribution to Interaction: Friends for Change to increase access to community-based therapy, housing, crisis, medical, recovery, and employment supports for youth in Windham County.

(13) $26,697.00 to the Department of Health for distribution to Winooski Partnership for Prevention to provide funding for staff time and stipends for partners to deliver medicine safety education to elementary-aged youth during school with family engagement.

(b) Notwithstanding 32 V.S.A. § 703, unless reverted by a future act of the General Assembly, the appropriations made in accordance with this section shall carryforward until fully expended.

Sec. 2. 2023 Acts and Resolves No. 22, Sec. 14, as amended by 2024 Acts and Resolves No. 113, Sec. C.112, is further amended to read:

Sec. 14. APPROPRIATION; OPIOID ABATEMENT SPECIAL FUND

In fiscal year 2023, the following monies shall be appropriated from the Opioid Abatement Special Fund pursuant to 18 V.S.A. § 4774:

(1)(A) $1,500,000 ~~divided equally between four opioid treatment programs~~ to cover costs associated with partnering with other health care providers to expand satellite locations for the dosing of medications, including costs associated with the satellite locations' physical facilities, staff time at the satellite locations, and staff time at opioid treatment programs to prepare medications and coordinate with satellite locations;

(B) the satellite locations established pursuant to this subdivision (1) shall be located in Addison County~~,~~ and eastern or southern Vermont~~, and in a facility operated by the Department of Corrections~~;

(2) $500,000 to establish a ~~second Chittenden Clinic Addiction Treatment Center~~ satellite location in northwestern Vermont;

* * *

Sec. 3. 18 V.S.A. § 4772 is amended to read:

§ 4772. OPIOID SETTLEMENT ADVISORY COMMITTEE

* * *

(c) Powers and duties. The Advisory Committee shall demonstrate broad ongoing consultation with individuals living with opioid use disorder about their direct experience with related systems, including medication for opioid use disorder, residential treatment, recovery services, harm reduction services, overdose, supervision by the Department of Corrections, and involvement with the Department for Children and Families' Family Services Division. To that end, the Advisory Committee shall demonstrate consultation with individuals with direct lived experience of opioid use disorder, frontline support professionals, the Substance Misuse Oversight Prevention and Advisory Council, the Health Equity Advisory Commission, and other stakeholders to identify spending priorities as related to opioid use disorder prevention, intervention, treatment, and recovery services and harm reduction strategies for the purpose of providing recommendations to the Governor, the Department of Health, and the General Assembly on prioritizing spending from the Opioid Abatement Special Fund. Each ongoing funding proposal considered by the Advisory Committee shall include a sustainability plan from the applicant to ensure consideration of future expenses and available resources apart from the Opioid Abatement Special Fund. The Advisory Committee shall consider:

(1) the impact of the opioid crisis on communities throughout Vermont, including communities' abatement needs and proposals for abatement strategies and responses;

(2) the perspectives of and proposals from opioid use disorder prevention coalitions, recovery centers, and medication for opioid use disorder providers; and

(3) the ongoing challenges of the opioid crisis on marginalized populations, including individuals who have a lived experience of opioid use disorder.

* * *

Sec. 4. APPROPRIATION REVIEW; FISCAL YEAR 2028 PROPOSAL SUSPENSION

(a) On or before December 1, 2026, the Department of Health shall review all previous appropriations from the Opioid Abatement Special Fund and make recommendations to the Opioid Settlement Advisory Committee, the House Committee on Human Services, and the Senate Committee on Health and Welfare regarding which appropriations could be funded in future years by the Substance Misuse Prevention Special Fund established pursuant to 18 V.S.A. § 4812.

(b) The Opioid Settlement Advisory Committee shall not accept new funding proposals from the Opioid Abatement Special Fund for fiscal year 2028, unless a proposal was previously identified in statute as intended for annual funding. It instead shall review the outcomes of programs and initiatives previously funded through the Opioid Abatement Special Fund to assess effectiveness, long-term sustainability, and the appropriateness of the Opioid Abatement Special Fund as a funding source, where applicable.

Sec. 5. REVERSIONS

Notwithstanding any provision of law to the contrary, in fiscal year 2027, the following amounts shall revert to the Opioid Abatement Special Fund from the accounts indicated:

3420892313 VDH-Opioid Sp. Fund Prov Satellites
444,000.00

3420892313 VDH-Opioid Sp. Fund Wound Care
8,287.34

3420892501 VDH-Opioid Sp. Fund Stabilization Beds 1,000,000.00

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

(Committee Vote: 9-0-2)

H. 739

An act relating to prohibiting the use and sale of the herbicide paraquat

Rep. O'Brien of Tunbridge, for the Committee on Agriculture, Food Resiliency, and Forestry, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. FINDINGS

The General Assembly finds that:

(1) Paraquat or paraquat dichloride is a synthetic, nonselective contact herbicide that is a member of the bipyridylium chemical family and that defoliates all vegetation that it touches.

(2) Paraquat was first registered in the United States in 1964, and, in 1978, the U.S. Environmental Protection Agency (EPA) classified all paraquat products as restricted use pesticides because of paraquat’s high acute toxicity and potential for poisoning.

(3) Paraquat has been widely used throughout the United States since its classification as a restricted use pesticide, and 24 currently registered pesticide products approved for use in the United States contain paraquat.

(4) The Pesticide Action Network’s 2024 Consolidated List of Banned Pesticides identifies 72 countries as banning the use of paraquat, including

Brazil, China, Malaysia, Peru, Saudi Arabia, South Korea, Turkey, and Vietnam.

(5) The European Union banned paraquat in 2007 after a court determined that the relevant regulatory body had failed to apply proper procedures for evaluation of the herbicide and that the regulatory body was not properly thorough in its assessments of paraquat's effects on human and animal health.

(6) Multiple studies by the National Institutes of Health have demonstrated that paraquat exposure substantially increases the risk of Parkinson's disease in those exposed to the herbicide.

(7) Studies by the National Institutes of Health and others have linked exposure to paraquat to increased risk of non-Hodgkin lymphoma and childhood leukemia.

(8) In 2021, as part of a product registration review of paraquat required under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the EPA issued an interim decision approving the continued registration of paraquat for use in the United States, despite multiple public comments objecting to approval and significant scientific evidence regarding the potential health effects of paraquat exposure.

(9) Multiple parties subsequently moved to challenge the EPA interim decision authorizing the continued registration and use of paraquat. In particular, the challenging parties contested the EPA's assessment of the increased risk of Parkinson's disease due to exposure to paraquat from volatilization during use.

(10) In January 2025, after a petition from the EPA, a court allowed the EPA to withdraw the interim registration approval for paraquat so that the EPA may reconsider its initial conclusion concerning the potential for paraquat to volatilize and to determine whether paraquat continues to meet FIFRA's registration standard.

(11) In October 2025, the EPA issued a memorandum titled *PARAQUAT: Review of the Volatilization Potential of Paraquat from Field Uses* and determined that there is a greater uncertainty regarding the potential for paraquat to volatilize than previously understood. The EPA concluded that more data is needed to understand the risk paraquat poses to bystanders.

(12) The EPA's reevaluation of the risks of paraquat may take years, and the EPA's withdrawal of the interim registration and further evaluation does not prohibit the continued use of paraquat during that review period.

(13) Instead of waiting for EPA action on whether or how to use paraquat, the State of Vermont should ban the use of paraquat in order to protect Vermonters from the known, significant health effects of exposure to paraquat.

Sec. 2. 6 V.S.A. § 1105d is added to read:

§ 1105d. USE AND SALE OF PARAQUAT; REPORT

(a) Definition. As used in this section, "paraquat" means an herbicide:

(1) known as paraquat, with the chemical name 1,1′-Dimethyl-4,4′-bipyridinium ion and the Chemical Abstracts Service (CAS) registry number 4685-14-7;

(2) known as paraquat dichloride, with the chemical name 1,1′-Dimethyl-4,4′-bipyridinium dichloride and the CAS registry number 1910-42-5;

(3) known as paraquat dimethyl sulfate, with the chemical name 1,1′-Dimethyl-4,4′-bipyridinium dimethyl sulfate and the CAS registry number 2074-50-2; or

(4) known as paraquat, with the chemical name 1,1′-Dimethyl-4,4′-bipyridinium ion and all salts thereof.

(b) Prohibition. No person shall sell, use, or apply paraquat except when authorized by the Secretary of Agriculture, Food and Markets under subsection (c) of this section.

(c) Authorized use. The Secretary may issue a written permit for the sale, use, or application of paraquat within fruit-producing tree orchards only on or before November 1, 2030. The Secretary shall ensure that any authorized certified applicator of paraquat has received all training required by the Environmental Protection Agency and the Agency of Agriculture, Food and Markets not more than one year prior to receiving a permit for authorized use of paraquat. A written exemption order under this subsection shall:

(1) not be valid for more than three years or until November 1, 2030, whichever comes first; and

(2) specify the paraquat, uses, and crops or plants to which the permit applies; the date the permit takes effect; the permit's duration; and the permit's geographic scope, which may include specific farms, fields, or properties.

(d) Reporting. The Secretary shall report annually on all data regarding any use of paraquat in the State. The report shall include the amount of paraquat used and the date and location where the paraquat was used. The

Secretary shall submit the report to the House Committee on Agriculture, Food Resiliency, and Forestry and the Senate Committee on Agriculture on or before December 15 of each year.

Sec. 3. ALTERNATIVES TO PARAQUAT; STUDY; REPORT

The Agricultural Innovation Board shall study and report on recommendations for alternatives to the use of paraquat for farmers. The report shall include pesticide alternatives to paraquat, recommendations for practices that reduce the use of and exposure to paraquat, and methods and standards for transitioning farmers to practices that reduce paraquat usage. The report shall also include recommendations for alternative pesticides to paraquat and alternative farming practices to reduce the usage of paraquat in the event paraquat becomes unavailable due to regulatory or commercial action prior to November 1, 2030. On or before January 15, 2027, the Agricultural Innovation Board shall submit the report to the House Committee on Agriculture, Food Resiliency, and Forestry and the Senate Committee on Agriculture.

Sec. 4. EFFECTIVE DATES

(a) This section and Sec. 3 (alternatives to paraquat; study; report) shall take effect on July 1, 2026.

(b) All other sections shall take effect on November 1, 2026.

(Committee Vote: 8-0-0)

H. 817

An act relating to mental health support and substance use disorder prevention in schools

Rep. Berbeco of Winooski, for the Committee on Health Care, recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. § 7209 is added to read:

§ 7209. MENTAL HEALTH LITERACY AND PEER SUPPORT INITIATIVES

(a) Purpose. This section aims to strengthen protective factors among Vermont's youth, increase mental health literacy within school communities, and expand access to developmentally appropriate peer-to-peer initiatives that promote early identification of mental health challenges.

(b) Mental health literacy training.

(1) To the extent funds are available, a public school may apply to the Department of Mental Health or designee for a grant to provide mental health literacy training to educators and other school personnel. Mental health literacy training shall include topics related to working with youth in an educational setting, such as:

(A) information about mental health conditions and symptoms;

(B) understanding common youth mental health and substance use challenges;

(C) reducing stigma and promoting supportive school environments;

(D) strengthening protective factors and help-seeking behaviors;

(E) recognizing risk factors and warning signs;

(F) responding to students with empathy and appropriate boundaries;

(G) information about mental health treatments; and

(H) accessing mental health resources or services throughout the State.

(2) This section shall not be construed to require the adoption of a specific curriculum or instructional content.

(c) Peer-to-peer mental health support.

(1) A school, afterschool program, or youth mentoring agency may establish a peer-to-peer mental health program that:

(A) provides structured opportunities for student peer connection in a supervised school or afterschool setting;

(B) is overseen by an adult, who is not required to be a licensed, certified, or rostered mental health professional under title 26; and

(C) emphasizes school and community-based resources and how to access professional services when additional support is needed.

(2) The Department of Mental Health shall provide oversight and guidance to any school, afterschool program, or youth mentoring agency seeking to establish or maintain a peer-to-peer mental health program pursuant to this subsection, including qualifications of the adult overseeing the peer-to-peer mental health support program.

(3) A peer-to-peer program established pursuant to this subsection shall be supportive and nonclinical. It shall not replace mental health services provided by a mental health professional licensed, certified, or rostered pursuant to title 26.

(d)(1) Developmentally appropriate guidance. For any mental health literacy or peer-to-peer support programs established pursuant to this section, the Department of Mental Health shall develop age-appropriate guidance:

(A) for elementary school-aged youth, that emphasizes social and emotional development, peer connection, and strengthening protective factors; and

(B) for middle and high school-aged youth, that emphasizes protective factors, reducing stigma, and supporting students in recognizing and appropriately responding to risk factors and warning signs associated with mental health and substance use challenges, including co-occurring challenges.

(2) As used in this subsection, "guidance" means defining and disseminating best practices in a written format.

(e) Reporting. Annually, on or before January 15, the Department of Mental Health shall submit a written report to the House Committee on Health Care and to the Senate Committee on Health and Welfare evaluating the effectiveness of programming established pursuant to this section, including aggregated information on:

(1) the number of schools, afterschool programs, and youth mentoring agencies requesting and receiving the Department's support;

(2) the number of students, educators, and school personnel participating in programming pursuant to this section; and

(3) findings and recommendations regarding mental health literacy and peer-to-peer programming.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

and that after passage the title of the bill be amended to read: "An act relating to mental health literacy and peer-to-peer supports in schools"

(Committee Vote: 10-0-1)

Rep. Bluemle of Burlington, for the Committee on Appropriations, recommends that the bill ought to pass when amended as recommended by the Committee on Health Care.

(Committee Vote: 11-0-0)

Favorable

H. 940

An act relating to miscellaneous public utility subjects

(Rep. James of Manchester will speak for the Committee on Energy and Digital Infrastructure.**)**

Rep. Kascenska of Burke, for the Committee on Appropriations, recommends that the bill ought to pass.

(Committee Vote: 10-0-1)

Committee of Conference Report

H. 50

An act relating to identifying underutilized State buildings and land.

<u>TO THE SENATE AND HOUSE OF REPRESENTATIVES:</u>

The Committee of Conference to which were referred the disagreeing votes of the two Houses upon House Bill entitled:

H. 50 An act relating to identifying underutilized State buildings and land.

Respectfully reports that it has met and considered the same and recommends that the Senate accede to the House proposal of amendment to the Senate proposal of amendment with further amendment thereto in Sec. 1, 29 V.S.A. § 165, by striking out subsection (e) in its entirety and inserting in lieu thereof a new subsection (e) to read as follows:

(e) The Commissioner of Buildings and General Services shall maintain an inventory of all State-owned <u>or State-leased</u> buildings <u>and land</u> and shall ~~biannually~~ <u>annually</u> compile and update the information received under subsection (g) of this section, which shall be considered once available in making spacing allocations and designating uses under subsection (c) of this section.

SEN. WENDY K. HARRISON
SEN. JOHN BENSON
SEN. ROBERT PLUNKETT

Committee on the part of the Senate

REP. JAMES A.R. GREGOIRE
REP. CONOR CASEY
REP. SHAWN SWEENEY

Committee on the part of the House

For Informational Purposes

CROSSOVER DATES

The Joint Rules Committee established the following crossover dates:

(1) All **Senate/House** bills must be reported out of the last committee of reference (including the Committees on Appropriations and Finance/Ways and Means, except as provided below in (2) and the exceptions listed below) on or before **Friday, March 13, 2026**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day – Committee bills must be voted out of Committee by **Friday, March 13, 2026**.

(2) All **Senate/House** bills referred pursuant to Senate Rule 31 or House Rule 35(a) to the Committees on Appropriations and Finance/Ways and Means must be reported out by the last of those committees on or before **Friday, March 20, 2026**, and filed with the Secretary/Clerk so they may be placed on the Calendar for Notice the next legislative day.

Exceptions to the foregoing deadlines include the major money bills (the general Appropriations bill ("The Big Bill"), the Transportation Capital bill, the Capital Construction bill, and the Fee/Revenue bills).

HOUSE CONCURRENT RESOLUTION (H.C.R.) PROCESS

Joint Rules 16a–16d provide the procedure for the General Assembly to adopt concurrent resolutions pursuant to the Consent Calendar. Here are the steps for Representatives to introduce an H.C.R. and to have it ceremonially read during a House session:

1. Meet with or email Legislative Counselor Michael Chernick regarding your H.C.R. draft request. Come prepared with an idea and any relevant supporting documents.
2. Have a date in mind if you want a ceremonial reading. You should communicate with Counselor Chernick **at least two weeks prior** to the week you want your ceremonial reading to happen.
3. Counselor Chernick will draft your H.C.R., and Resolutions Editor and Coordinator Jill Pralle will edit it. Upon completion of this process, a paper or electronic copy will be released to you. If a paper copy is released to you, a sponsor sign-out sheet will also be included.
4. Please submit a final sponsor list (with all sponsors listed) to Counselor Chernick by paper *or* electronically, but not both.

5. The final list of sponsors needs to be submitted, by email *or* on a paper sign-out sheet, to Counselor Chernick **not later than 1:00 p.m. the Wednesday of the week prior** to the H.C.R.'s appearance on the Consent Calendar.

6. The Office of Legislative Counsel will then send your H.C.R. to the House Clerk's Office for incorporation into the Consent Calendar and House Calendar Addendum for the following week.

7. The week that your H.C.R. is on the Consent Calendar, any presentation copies that you requested will be mailed or available for pickup on Friday, after the House and Senate adjourn, which is when your H.C.R. is adopted pursuant to Joint Rules.

8. Your H.C.R. can be ceremonially read during a House session once it is adopted, meaning it must have been adopted through the House Consent Calendar not later than the week prior to your requested ceremonial reading date. Contact Second Assistant Clerk Courtney Reckord to confirm your requested ceremonial reading date.

9. A Note: If there is a **specific date, week, or month that your resolution must be read** (e.g. to designate a specified period of time or to recognize a group on a certain day), please inform Second Assistant Clerk Courtney Reckord as soon as possible, so she can reserve that date in advance. You do not need to have the resolution drafted by then.

JOINT FISCAL COMMITTEE NOTICES

Grants and Positions that have been submitted to the Joint Fiscal Committee by the Administration, under 32 V.S.A. §5(b)(3)(D):

JFO #3273: $29,303,666.00 to the Public Service Department, Office of Economic Opportunity from the U.S. Department of Energy. The Home Energy Rebate Program funds will be used to weatherize low-income homes. The first-year distribution is $14,133.00 with subsequent yearly awards through May 31, 2029, for a total of $29,303,666.00. *[Received March 9, 2026]*

JFO #3274: $50,000.00 to the Vermont Secretary of State's office from the Vermont Community Foundation. Funds are for the Local Civic Journalism program to support the State of Vermont Local Journalism Awards. This award expands the Local Journalism grants in the FY26 Secretary of State's budget. *[Received March 16, 2026]*

JFO #3275: $250,000.00 to the Vermont Police Academy, Criminal Justice Training Council from the U.S. Department of Justice, Office of Community Oriented Policing Services. Funds to support curriculum development of de-escalation of volatile and high-risk situations. *[Received March 16, 2026]*