

Journal of the House

Tuesday, March 24, 2026

At ten o'clock in the forenoon, the Speaker called the House to order.

Devotional Exercises

Devotional exercises were conducted by Pastor Ben Whittinghill, Rivertown Church, Brattleboro.

Pledge of Allegiance

Page James Laughlin of Barre City led the House in the Pledge of Allegiance.

Committee Bill Introduced; Referred to Committee on Appropriations

H. 950

By the Committee on Government Operations and Military Affairs,
House bill, entitled

An act relating to compensation for certain State employees (Pay Act)

Was read the first time and, pursuant to House Rule 35(a), carrying an appropriation, was referred to the Committee on Appropriations.

Committee Bill Introduced; Referred to Committee on Ways and Means

H. 951

By the Committee on Appropriations,
House bill, entitled

An act relating to making appropriations for the support of the government

Was read the first time and, pursuant to House Rule 35(a), affecting the revenue of the State, referred to the Committee on Ways and Means.

Senate Bills Referred

Senate bills of the following titles were severally taken up, read the first time, and referred to committee as follows:

S. 138

Senate bill, entitled

An act relating to commercial property-assessed clean energy projects

To the Committee on Energy and Digital Infrastructure.

S. 181

Senate bill, entitled

An act relating to eliminating the requirement for a presentence investigation for imposition of a deferred sentence

To the Committee on Judiciary.

S. 206

Senate bill, entitled

An act relating to licensure of early childhood educators by the Office of Professional Regulation

To the Committee on Government Operations and Military Affairs.

S. 219

Senate bill, entitled

An act relating to an energy navigator program report

To the Committee on Energy and Digital Infrastructure.

S. 239

Senate bill, entitled

An act relating to the Child Abuse and Neglect Reporting Working Group

To the Committee on Human Services.

S. 291

Senate bill, entitled

An act relating to travel disclosures for legislators and certain executive officers

To the Committee on Government Operations and Military Affairs.

Ceremonial Readings**H.C.R. 198**

Offered by Representative Minier of South Burlington

House concurrent resolution congratulating the 2025 Rice Memorial High School Green Knights Division II championship girls' soccer team

Whereas, the 2025 Division II girls' soccer championship game, played under the lights at Burlington High School, can be accurately described as a thrilling athletic encounter, pitting top-seeded Rice Memorial High School against second-ranked Harwood Union High School, and

Whereas, in a contest that showcased defensive polish, the Green Knights' and Highlanders' goalies' combined save toll exceeded 35, resulting in a late and low-scoring evening on the pitch, and

Whereas, with merely 3:14 remaining in regulation play, Harwood shattered the scoreless logjam, but Rice replied in kind with only 1:11 left in the second half, and

Whereas, the teams fervently battled into a second overtime period when, with 9:38 to go, Harwood executed a seemingly goal-scoring sequence, only to experience disappointment 25 seconds later as the referees canceled the goal with the assessment of an offside penalty, and this set the stage for Rice to score a walk-off goal nearly seven minutes later and clinch an unimagined 2–1 victory, and

Whereas, Green Knights Peyton Borick, Bayleigh Clark, Reese Billings, Edie Curtin, Madi Lacy, Celeste Hines, Esme Cyr, Ruby Levinson, Maddie Ploof, Lucy Barndt, Stella Kruse, Savannah Nelson, Abby English, Sara Guidice, Izzy Lacy, Grace Bowen, Alexis Menard O'Neil, Reilly Lewton, Celia Leclair, Summer Nelson, and Neesa Giulianelli will long remember this fairy-tale concluding game, and

Whereas, Head Coach Aubrey Ouellet and assistant coaches Katherine Fischer, Anna Krause, Abby Turner, Kaylee Sullivan, and Zaf Bludevich were delighted with the 2025 season, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly congratulates the 2025 Rice Memorial High School Green Knights Division II championship girls' soccer team, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to Rice Memorial High School.

Having been adopted in concurrence on Friday, February 13, 2026 in accord with Joint Rule 16b, was read.

H.C.R. 199

Offered by Representative Minier of South Burlington

House concurrent resolution congratulating the Rice Memorial High School Green Knights Division I field hockey team on winning a second consecutive championship

Whereas, the undefeated, top-seeded, and fifth-ranked in New England Green Knights carried their sticks onto the University of Vermont's Moulton Winder Field for the season's ultimate Division I challenge against the second-seeded Champlain Valley Union High School (CVU) Redhawks with great confidence and exuberance, and

Whereas, this eager anticipation proved merited as the Rice goalie prevented any first-half CVU scoring, while her teammates shot one first-quarter goal and three more in the second, and

Whereas, down but still determined, the Redhawks asserted themselves in the third and fourth quarters, with one goal in each, but their efforts fell short of the necessary offensive production, as Rice won the game and the Division I title 4–2, and

Whereas, the Green Knights (17–0) who wrapped up Rice's second consecutive perfect season were Molly McGibney, Claire Robblee, Ella Tatro, Violet Clough, Clare Hamilton, Addy Petrasch, Zoe Martinez, Audrey Morris, Eden Roberts, Mary Moyer, Maryann Nunn, Ana Walsh, Eliza Fischer, Gillian Grimes, Emeri Rasco, Kate Larkin, Sophia Chan, Maggie Robinson, Bella Walsh, Ellie Larkin, and Page Johnson, and

Whereas, Head Coach Kelly McClintock and assistant coaches Lucy Stillman and Bailey Sherwin were pleased with the team's great 2025 success, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly congratulates the Rice Memorial High School Green Knights field hockey team on winning a second consecutive Division I championship, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to Rice Memorial High School.

Having been adopted in concurrence on Friday, February 13, 2026 in accord with Joint Rule 16b, was read.

H.C.R. 219

Offered by Representatives Hango of Berkshire, Austin of Colchester, Cole of Hartford, Goslant of Northfield, Graning of Jericho, Greer of Bennington, Gregoire of Fairfield, Harple of Glover, Headrick of Burlington, Howard of Rutland City, Kleppner of Burlington, Krasnow of South Burlington, Labor of Morgan, Morgan, M. of Milton, Morris of Springfield, Morrissey of Bennington, Ode of Burlington, Page of Newport City, Pritchard of Pawlet, Rachelson of Burlington, Sweeney of Shelburne, Walker of Swanton, and Wells of Brownington

House concurrent resolution designating March 2026 as Athletic Trainers' Month in Vermont

Whereas, the Vermont Association of Athletic Trainers was founded in 1982 as an organization committed to the education of its members, the enhancement of the profession of athletic training, and the creation of better health care for the population it serves, and

Whereas, the phrase athletic trainers use to describe their role is "providing care you can count on," and

Whereas, athletic trainers are employed in professional, collegiate, and high school organizations; industries; physicians' offices; rehabilitation clinics; and every branch of the United States military, and

Whereas, athletic trainers work together to promote and practice their profession within the State, and

Whereas, athletic trainers have a long history of providing quality health care for athletes and persons engaged in regular physical activity, and

Whereas, as highly skilled health care professionals, athletic trainers specialize in immediate, acute, and emergency care; examination, assessment and diagnosis; injury prevention; risk management; therapeutic intervention; and rehabilitation of persons who have experienced injuries and illnesses, and

Whereas, the National Athletic Trainers' Association represents and supports the more than 45,000 members of the athletic training profession, including over 130 athletic trainers in the State of Vermont, and

Whereas, leading organizations concerned with athletic training and health care have united in a common commitment to raise public awareness of the importance of the profession and the role it serves in the provision of quality health care services, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly designates March 2026 as Athletic Trainers' Month in Vermont, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Vermont Association of Athletic Trainers.

Having been adopted in concurrence on Friday, March 13, 2026 in accord with Joint Rule 16b, was read.

H.C.R. 226

Offered by Representatives Cooper of Pownal, Carris Duncan of Whitingham, Duke of Burlington, Graning of Jericho, and Priestley of Bradford

House concurrent resolution remembering, with great sadness, the historic and interconnected 2011 earthquake, tsunami, and nuclear disasters that struck the Tōhoku region of Japan

Whereas, on March 11, 2011, at an underground location off the northeast coast of the Oshika Peninsula in Japan, there occurred a 9.0 magnitude earthquake, which the Japanese government has designated the “Great East Japan Earthquake,” and

Whereas, this earthquake, the largest ever recorded in Japan, and the fourth-largest documented earthquake on the planet since this type of data was first collected in 1900, lasted six minutes and precipitated a tsunami that inundated over 200 square miles of coastal Japanese land and triggered waves that, at their maximum height, rose over 100 feet high, the equivalent of a 12-story building, and

Whereas, the official casualty count from these combined disasters numbered 6,242 injuries, including 284 firefighters; 2,553 missing persons; and, tragically, 19,759 deaths, and

Whereas, these two cataclysmic events triggered an equally horrific disaster at the Fukushima Daiichi Nuclear Power Plant, causing three nuclear reactor meltdowns and the discharge of radioactive water, which forced the evacuation of hundreds of thousands of area residents, many for an extended period of time, and

Whereas, the financial cost of these interconnected catastrophes is estimated to have exceeded \$300 billion, possibly the costliest natural disaster in modern history, and

Whereas, on March 11, 2026, the people of Japan and the world are pausing to remember these tragic events and their impact on Japan, *now therefore be it*

Resolved by the Senate and House of Representatives:

That the General Assembly remembers, with great sadness, the historic and interconnected 2011 earthquake, tsunami, and nuclear disasters that struck the Tōhoku region of Japan, *and be it further*

Resolved: That the Secretary of State be directed to send a copy of this resolution to Consul General of Japan Seiichiro Takahashi in Boston and to Dr. Masatoshi Kida and Mrs. Reiko Kida in recognition of Mr. and Mrs. Kida's two-plus decades of endeavoring to enhance the friendship, cultural understanding, and warm relationship between the peoples of Japan and Vermont.

Having been adopted in concurrence on Friday, March 13, 2026 in accord with Joint Rule 16b, was read.

Second Reading; Bill Amended; Third Reading Ordered**H. 861**

Rep. Burrows of West Windsor, for the Committee on General and Housing, to which had been referred House bill, entitled

An act relating to establishing an Americans with Disabilities Act Coordinator

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 3 V.S.A. chapter 45 is amended to read:

CHAPTER 45. ADMINISTRATION

* * *

Subchapter 7. Americans with Disabilities Act Coordinator**§ 2331. AMERICANS WITH DISABILITIES ACT COORDINATOR**

(a) There is created the permanent position of the Americans with Disabilities Act Coordinator within the Agency of Administration for the purpose of coordinating, across State government and in collaboration with agency partners, all State programs, services, and activities, accessible to and available for individuals with disabilities.

(b) The Coordinator shall be an individual with the lived experience of a disability and shall have completed a recognized Americans with Disabilities Act coordinator certificate program. The Coordinator shall have comprehensive knowledge of the Americans with Disabilities Act, 42 U.S.C. §§ 12101–12213, section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and any related federal and State disability rights law. The Coordinator

shall be familiar with the structure, programs, services, and personnel of State government and with alternative communication formats and assistive technologies.

(c) In hiring for the Coordinator position, the Secretary of Administration shall consider only those candidates nominated by the following entities:

- (1) the Human Rights Commission;
- (2) Disability Rights Vermont;
- (3) the Vermont Coalition for Disability Rights; and
- (4) the Vermont Center for Independent Living.

(d) The Coordinator shall:

- (1) work directly with State agencies and departments to advance, coordinate, and monitor statewide compliance efforts;
- (2) act as a consultant for State employees, boards, and executive, legislative, and judicial leadership;
- (3) ensure communications with individuals with disabilities are as effective as those with individuals without disabilities, giving primary consideration to the individual's preferred method of communication;
- (4) educate State employees on their legal obligations, disability access requirements, ableism, and prevention initiatives;
- (5) audit programs, facilities, and activities for ongoing compliance;
- (6) oversee self-evaluation processes throughout State government to identify and correct violations;
- (7) monitor federally required transition plans to ensure timely completion of structural accessibility and improvement;
- (8) provide federally required public notice of rights under the Americans with Disabilities Act and provide contact information for a governmental entity's coordinator;
- (9) maintain collaborative relationships with disability advocacy organizations and stakeholders; and
- (10) facilitate partnerships among governmental departments and disability advocacy organizations to align policies, programs, and implementation strategies that support compliance with the Americans with Disabilities Act and accessible services.

(e) The Coordinator shall have the administrative, legal, and technical support of the Agency of Administration.

Sec. 2. APPROPRIATION; AMERICANS WITH DISABILITIES ACT
COORDINATOR

In fiscal year 2027, \$150,000.00 is appropriated from the General Fund to establish the Americans with Disabilities Coordinator position established in 3 V.S.A. § 2331.

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

Rep. Stevens of Waterbury, for the Committee on Appropriations, recommended that the report of the Committee on General and Housing be amended by striking out Sec. 2, appropriation; Americans with Disabilities Act Coordinator, and Sec. 3, effective date, in their entireties and inserting in lieu thereof a new Sec. 2 to read as follows:

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026, provided that the sum of \$150,000.00 has been appropriated in the fiscal year 2027 budget for the Americans with Disabilities Act Coordinator position established in Sec. 1.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on General and Housing was amended as recommended by the Committee on Appropriations.

Pending the question, Shall the bill be amended as recommended by the Committee on General and Housing, as amended?, **Rep. Noyes of Wolcott** moved to further amend the report of the Committee on General and Housing in Sec. 1, 3 V.S.A. chapter 45, in section 2331, in subsection (d), by inserting a new subdivision (9) after subdivision (8) to read as follows:

(9) apply for grants and accept donations to support the work of the Coordinator's position;

and by renumbering the remaining subdivisions to be numerically correct.

Which was agreed to. Thereafter, the report of the Committee on General and Housing, as amended, was agreed to and third reading ordered.

**Committee Bill; Second Reading; Bill Amended;
Third Reading Ordered**

H. 931

Rep. Conlon of Cornwall spoke for the Committee on Education.

House bill, entitled

An act relating to miscellaneous changes in education law

Rep. Burkhardt of South Burlington, for the Committee on Ways and Means, recommended the bill ought to pass when amended as follows:

First: By striking out Secs. 3–12 (BOCES; CESA name change) and their reader assistance heading in their entirety and inserting in lieu thereof 10 new sections to read as follows:

Sec. 3. [Deleted.]

Sec. 4. [Deleted.]

Sec. 5. [Deleted.]

Sec. 6. [Deleted.]

Sec. 7. [Deleted.]

Sec. 8. [Deleted.]

Sec. 9. [Deleted.]

Sec. 10. [Deleted.]

Sec. 11. [Deleted.]

Sec. 12. [Deleted.]

Second: In Sec. 14, 16 V.S.A. § 254a, in subsection (c), following “on a form provided by the Vermont Crime Information Center” by striking out “, a set of the applicant’s fingerprints, and a fee established by the Vermont Crime Information Center that shall reflect the cost of obtaining the record from the FBI. The fee shall be paid by the applicant” and inserting in lieu thereof “and a set of the applicant’s fingerprints. The Agency shall pay the fingerprinting fee required pursuant to 20 V.S.A. § 2062 and shall pay any fee required by the FBI associated with a fingerprint-supported criminal record check”

Rep. Kascenska of Burke, for the Committee on Appropriations, recommended the bill ought to pass when amended as recommended by the Committee on Ways and Means.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Ways and Means agreed to, and third reading was ordered.

Amendment Offered and Withdrawn; Third Reading; Bill Passed

H. 817

House bill, entitled

An act relating to mental health support and substance use disorder prevention in schools

Was taken up and, pending third reading of the bill, **Rep. North of Ferrisburgh** moved to amend the bill in Sec. 1, 18 V.S.A. § 7209, in subsection (c), by striking out subdivision (1)(C) in its entirety and inserting in lieu thereof a new subdivision (1)(C) to read as follows:

(C) Emphasizes school and community-based resources, parental consent to participate in programming, and how to access professional services when additional support is needed.

Thereupon, **Rep. North of Ferrisburgh** asked and was granted leave of the House to withdraw the amendment.

Thereafter, the bill was read the third time and passed.

Action on Bill Postponed

H. 941

House Committee bill, entitled

An act relating to municipal regulation of agriculture

Was taken up and, pending second reading of the bill, on motion of **Rep. Durfee of Shaftsbury**, action on the bill was postponed two legislative days.

Third Reading; Bills Passed

House bills of the following titles were severally taken up, read the third time, and passed:

H. 928

House bill, entitled

An act relating to technical corrections to fish and wildlife statutes

H. 932

House bill, entitled

An act relating to the regulation of forestry under Act 250

Second Reading; Recess; Rules Suspended, Consideration Interrupted; Bill Amended; Third Reading Ordered

H. 211

Rep. Priestley of Bradford, for the Committee on Commerce and Economic Development, to which had been referred House bill, entitled

An act relating to data brokers and personal information

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 9 V.S.A. chapter 62 is amended to read:

CHAPTER 62. PROTECTION OF PERSONAL INFORMATION

Subchapter 1. General Provisions

§ 2430. DEFINITIONS

As used in this chapter:

(1) “Authorized agent” means:

(A) a person designated by a consumer to act on the consumer’s behalf;

(B) a parent or legal guardian that acts on behalf of the parent’s child or on behalf of a child for whom the guardian has legal responsibility; or

(C) a guardian or conservator that acts on behalf of a consumer that is subject to a guardianship, conservatorship, or other protective arrangement.

(2)(A) “Biometric data” means that data generated from the technological processing of an individual’s unique biological, physical, or physiological characteristics can be used to identify an individual, including:

(i) iris or retina scans;

(ii) fingerprints;

(iii) facial or hand mapping, geometry, or templates;

(iv) vein patterns;

(v) voice prints; and

(vi) gait or personally identifying physical movement or patterns.

(B) “Biometric data” does not include:

(i) a digital or physical photograph;

(ii) an audio or video recording; or

(iii) any data generated from a digital or physical photograph, or an audio or video recording, unless such data is generated to identify a specific individual.

(3)(A) “Brokered personal information” means ~~one or more of the following computerized data elements about a consumer, if categorized or organized for dissemination to third parties:~~

(i) ~~name;~~

~~(ii) address;~~

~~(iii) date of birth;~~

~~(iv) place of birth;~~

~~(v) mother's maiden name;~~

~~(vi) unique biometric data generated from measurements or technical analysis of human body characteristics used by the owner or licensee of the data to identify or authenticate the consumer, such as a fingerprint, retina or iris image, or other unique physical representation or digital representation of biometric data;~~

~~(vii) name or address of a member of the consumer's immediate family or household;~~

~~(viii) Social Security number or other government-issued identification number; or~~

~~(ix) other information that, alone or in combination with the other information sold or licensed, would allow a reasonable person to identify the consumer with reasonable certainty any information, including derived data and unique identifiers, that is linked or reasonably linkable, alone or in combination with other information, to an identified or identifiable individual or to a device that identifies, is linked to, or is reasonably linkable to one or more identified or identifiable individuals in a household.~~

(B) "Brokered personal information" does not include publicly available information to the extent that it is related to a consumer's business or profession.

(2)(4) "Business" means a commercial entity, including a sole proprietorship, partnership, corporation, association, limited liability company, or other group, however organized and whether or not organized to operate at a profit, including a financial institution organized, chartered, or holding a license or authorization certificate under the laws of this State, any other state, the United States, or any other country, or the parent, affiliate, or subsidiary of a financial institution, but does not include the State, a State agency, any political subdivision of the State, or a vendor acting solely on behalf of, and at the direction of, the State.

(3)(5) "Consumer" means an individual residing in this State.

(4)(6)(A) "Data broker" means a business, or unit or units of a business, separately or together, that knowingly collects and sells or licenses to third parties the brokered personal information of a consumer with whom the business does not have a direct relationship.

~~(B) Examples of a direct relationship with a business include if the consumer is a past or present:~~

~~(i) customer, client, subscriber, user, or registered user of the business's goods or services;~~

~~(ii) employee, contractor, or agent of the business;~~

~~(iii) investor in the business; or~~

~~(iv) donor to the business~~ As used in this subdivision (6), "direct relationship" means that a consumer has intentionally interacted with a business for the purpose of accessing, purchasing, using, requesting, or obtaining information about the business's products or services. A consumer does not have a direct relationship with a business if the purpose of the consumer's engagement is to exercise a consumer right or for the business to verify the consumer's identity. A business does not have a direct relationship with a consumer simply because the business collects brokered personal information directly from the consumer; the consumer must intend to interact with the business. A business is still a data broker and does not have a direct relationship with a consumer as to the brokered personal information the business sells about the consumer that it collected outside of a first-party interaction with the consumer.

~~(C) The following activities conducted by a business, and the collection and sale or licensing of brokered personal information incidental to conducting these activities, do not qualify the business as a data broker:~~

~~(i) developing or maintaining third-party e-commerce or application platforms;~~

~~(ii) providing 411 directory assistance or directory information services, including name, address, and telephone number, on behalf of or as a function of a telecommunications carrier;~~

~~(iii) providing publicly available information related to a consumer's business or profession; or~~

~~(iv) providing publicly available information via real-time or near-real-time alert services for health or safety purposes.~~

~~(D)~~(C) The phrase "sells or licenses" does not include:

~~(i) a one-time or occasional sale of assets of a business as part of a transfer of control of those assets that is not part of the ordinary conduct of the business; or~~

~~(ii) a sale or license of data that is merely incidental to the business.~~

~~(5)(A) “Data broker security breach” means an unauthorized acquisition or a reasonable belief of an unauthorized acquisition of more than one element of brokered personal information maintained by a data broker when the brokered personal information is not encrypted, redacted, or protected by another method that renders the information unreadable or unusable by an unauthorized person.~~

~~(B) “Data broker security breach” does not include good faith but unauthorized acquisition of brokered personal information by an employee or agent of the data broker for a legitimate purpose of the data broker, provided that the brokered personal information is not used for a purpose unrelated to the data broker’s business or subject to further unauthorized disclosure.~~

~~(C) In determining whether brokered personal information has been acquired or is reasonably believed to have been acquired by a person without valid authorization, a data broker may consider the following factors, among others:~~

~~(i) indications that the brokered personal information is in the physical possession and control of a person without valid authorization, such as a lost or stolen computer or other device containing brokered personal information;~~

~~(ii) indications that the brokered personal information has been downloaded or copied;~~

~~(iii) indications that the brokered personal information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; or~~

~~(iv) that the brokered personal information has been made public.~~

~~(6)(7) “Data collector” means a person who, for any purpose, whether by automated collection or otherwise, handles, collects, disseminates, or otherwise deals with personally identifiable information, and includes the State, State agencies, political subdivisions of the State, public and private universities, privately and publicly held corporations, limited liability companies, financial institutions, and retail operators.~~

~~(7)(8) “Encryption” means use of an algorithmic process to transform data into a form in which the data is rendered unreadable or unusable without use of a confidential process or key.~~

(9)(A) “GenAI system” means an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio, that emulates the structure and characteristics of the system’s training data.

(B) As used in subdivision (A) of this subdivision (9), “artificial intelligence system” means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(10) “Identified or identifiable individual” means an individual who can be readily identified, directly or indirectly.

~~(8)~~(11) “License” means a grant of access to, or distribution of, data by one person to another in exchange for consideration. A use of data for the sole benefit of the data provider, where the data provider maintains control over the use of the data, is not a license.

~~(9)~~(12) “Login credentials” means a consumer’s user name or ~~e-mail~~ email address, in combination with a password or an answer to a security question, that together permit access to an online account.

~~(40)~~(13)(A) “Personally identifiable information” means a consumer’s first name or first initial and last name in combination with one or more of the following digital data elements, when the data elements are not encrypted, redacted, or protected by another method that renders them unreadable or unusable by unauthorized persons, subject to the exception in subdivision (C) of this subdivision (13):

(i) a Social Security number;

(ii) a driver license or nondriver State identification card number, individual taxpayer identification number, passport number, military identification card number, or other identification number that originates from a government identification document that is commonly used to verify identity for a commercial transaction;

(iii) a financial account number or credit or debit card number, if the number could be used without additional identifying information, access codes, or passwords;

(iv) a password, personal identification number, or other access code for a financial account;

~~(v) unique biometric data generated from measurements or technical analysis of human body characteristics used by the owner or licensee of the data to identify or authenticate the consumer, such as a fingerprint, retina or iris image, or other unique physical representation or digital representation of biometric data;~~

(vi) genetic information; and

(vii)(I) health records or records of a wellness program or similar program of health promotion or disease prevention;

(II) a health care professional's medical diagnosis or treatment of the consumer; or

(III) a health insurance policy number.

(B) "Personally identifiable information" does not ~~mean~~ include publicly available information ~~that is lawfully made available to the general public from federal, State, or local government records.~~

(C) "Personally identifiable information" does not require a consumer's first name or first initial and last name if any of the data elements contained in subdivisions (A)(i)–(vii) of this subdivision (13) is sufficient to perform or attempt to perform identity theft against the consumer.

(14) "Precise geolocation" means information derived from technology that can precisely and accurately identify the specific location of a consumer within a radius of 1,850 feet.

(15) "Processor" means a person who performs any operation or set of operations, whether by manual or automated means, on brokered personal information or on sets of brokered personal information, such as the collection, use, storage, disclosure, analysis, deletion, or modification of brokered personal information on behalf of a business.

(16)(A) "Publicly available information" means information that:

(i) is made available:

(I) through federal, state, or local government records; or

(II) to the general public from widely distributed media; or

(ii) a data broker has a reasonable basis to believe that the consumer has lawfully made available to the general public.

(B) "Publicly available information" does not include:

(i) biometric data collected by a business about a consumer without the consumer's knowledge;

(ii) information that is collated and combined to create a consumer profile that is made available to a user of a publicly available website either in exchange for payment or free of charge;

(iii) information that is made available for sale;

(iv) an inference about a consumer that is generated from the information described in subdivision (ii) or (iii) of this subdivision (16)(B);

(v) any obscene visual depiction, as defined in 18 U.S.C. § 1460;

(vi) brokered personal information that is created through the combination of brokered personal information with publicly available information;

(vii) genetic data, unless otherwise made publicly available by the consumer to whom the information pertains;

(viii) information provided by a consumer on a website or online service made available to all members of the public, for free or for a fee, where the consumer has maintained a reasonable expectation of privacy in the information, such as by restricting the information to a specific audience; or

(ix) intimate images, authentic or computer-generated, known to be nonconsensual.

~~(11)~~(17) “Record” means any material on which written, drawn, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics.

~~(12)~~(18) “Redaction” means the rendering of data so that the data are unreadable or are truncated so that ~~no~~ not more than the last four digits of the identification number are accessible as part of the data.

(19)(A) “Sale” means the exchange of a consumer’s brokered personal information by the data broker to a third party for monetary or other valuable consideration.

(B) “Sale” does not include:

(i) the disclosure of brokered personal information to a processor that processes the brokered personal information on behalf of the data broker;

(ii) the disclosure of brokered personal information to a third party for purposes of providing a product or service requested by the consumer;

(iii) the disclosure or transfer of brokered personal information to an affiliate of the data broker;

(iv) the disclosure, with the consumer’s consent, of brokered personal information where the consumer directs the data broker to disclose the brokered personal information or intentionally uses the data broker to interact with a third party;

(v) the disclosure of publicly available information; or

(vi) the disclosure or transfer of brokered personal information to a third party as an asset that is part of a merger, acquisition, bankruptcy, or other transaction, or a proposed merger, acquisition, bankruptcy, or other transaction, in which the third party assumes control of all or part of the data broker's assets.

(C) As used in subdivision (B) of this subdivision (19), "affiliate" means a legal entity that shares common branding with another legal entity or controls, is controlled by, or is under common control with another legal entity.

(D) As used in subdivision (C) of this subdivision (19), "control" or "controlled" means:

(i) ownership of, or the power to vote, more than 50 percent of the outstanding shares of any class of voting security of a company;

(ii) control in any manner over the election of a majority of the directors or of individuals exercising similar functions; or

(iii) the power to exercise controlling influence over the management of a company.

~~(13)~~(20)(A) "Security breach" means unauthorized acquisition of electronic data, or a reasonable belief of an unauthorized acquisition of electronic data, that compromises the security, confidentiality, or integrity of a consumer's personally identifiable information or login credentials maintained by a data collector.

(B) "Security breach" does not include good faith but unauthorized acquisition of personally identifiable information or login credentials by an employee or agent of the data collector for a legitimate purpose of the data collector, provided that the personally identifiable information or login credentials are not used for a purpose unrelated to the data collector's business or subject to further unauthorized disclosure.

(C) In determining whether personally identifiable information or login credentials have been acquired or is are reasonably believed to have been acquired by a person without valid authorization, a data collector may consider the following factors, among others:

(i) indications that the information is in the physical possession and control of a person without valid authorization, such as a lost or stolen computer or other device containing information;

(ii) indications that the information has been downloaded or copied;

(iii) indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; or

(iv) that the information has been made public.

§ 2431. ACQUISITION AND DISCLOSURE OF BROKERED PERSONAL INFORMATION; PROHIBITIONS

(a) Prohibited acquisition and use.

(1) A person shall not acquire brokered personal information through fraudulent means.

(2) A person shall not acquire or use brokered personal information for the purpose of:

(A) stalking or harassing another person;

(B) committing a fraud, including identity theft, financial fraud, or ~~e-mail~~ email fraud; or

(C) engaging in unlawful discrimination, including employment discrimination and housing discrimination.

(b) Disclosure. A data broker shall:

(1) maintain procedures that require prospective users of the data broker's brokered personal information to identify themselves, state the purposes for which the information is sought, and certify that the information shall be used for no other purpose;

(2) prior to disclosing brokered personal information to a prospective user and pursuant to subdivision (1) of this subsection:

(A) make a reasonable effort to verify the identity of the prospective user of the information; and

(B) review the user's stated purposes for which the information is sought; and

(3) not disclose brokered personal information to a prospective user if the data broker has reasonable grounds for believing that the information will be used to violate State or federal law or will not be used for the purposes stated by the user pursuant to this subsection.

(c) Enforcement.

(1) A person who violates a provision of this section commits an unfair and deceptive act in commerce in violation of section 2453 of this title.

(2) The Attorney General has the same authority to adopt rules to implement the provisions of this section and to conduct civil investigations, enter into assurances of discontinuance, bring civil actions, and take other enforcement actions as provided under chapter 63, subchapter 1 of this title.

Subchapter 2. Security ~~Breach Notice Act~~ Breaches

§ 2435. NOTICE OF SECURITY BREACHES

* * *

(b) Notice of breach.

* * *

(6) A data collector may provide notice of a security breach involving personally identifiable information to a consumer by one or more of the following methods:

(A) Direct notice, which may be by one of the following methods:

(i) written notice mailed to the consumer's residence;

(ii) electronic notice, for those consumers for whom the data collector has a valid ~~e-mail~~ email address, if:

(I) the data collector's primary method of communication with the consumer is by electronic means, the electronic notice does not request or contain a hypertext link to a request that the consumer provide personal information, and the electronic notice conspicuously warns consumers not to provide personal information in response to electronic communications regarding security breaches; or

(II) the notice is consistent with the provisions regarding electronic records and signatures for notices in 15 U.S.C. § 7001; or

(iii) telephonic notice, for those consumers for whom the data collector has a valid phone number, provided that the telephonic contact is made directly with each affected consumer and not through a prerecorded message and further provided that the data collector makes not less than five attempts to contact the consumer for a live conversation before the data collector may leave a voicemail providing information about the breach.

* * *

(c) Notice to consumer reporting agencies. In the event a data collector provides notice to more than 1,000 consumers at one time pursuant to this section, the data collector shall notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in 15 U.S.C. § 1681a(p), of the timing,

distribution, and content of the notice. This subsection shall not apply to a person who is licensed or registered under Title 8 by the Department of Financial Regulation.

(d) Exception to notice requirement.

(1) Notice of a security breach pursuant to subsection (b) of this section is not required if the data collector establishes that misuse of personally identifiable information or login credentials is not reasonably possible and the data collector provides notice of the determination that the misuse of the personally identifiable information or login credentials is not reasonably possible pursuant to the requirements of this subsection. If the data collector establishes that misuse of the personally identifiable information or login credentials is not reasonably possible, the data collector shall provide notice of its determination that misuse of the personally identifiable information or login credentials is not reasonably possible and a detailed explanation for said determination to the Vermont Attorney General or to the Department of Financial Regulation in the event that the data collector is a person or entity licensed or registered with the Department under Title 8 or this title. The data collector may designate its notice and detailed explanation to the Vermont Attorney General or the Department of Financial Regulation as “trade secret” if the notice and detailed explanation meet the definition of trade secret contained in 1 V.S.A. § 317(c)(9).

* * *

(e) HIPAA compliance. A data collector that is subject to the privacy, security, and breach notification rules adopted in 45 C.F.R. Part 164 pursuant to the federal Health Insurance Portability and Accountability Act, P.L. 104-191 (1996) is deemed to be in compliance with this subchapter if the data collector:

(1) ~~the data collector~~ experiences a security breach that is limited to personally identifiable information specified in subdivision 2430(10)(A)(vii) of this chapter; ~~and~~

(2) ~~the data collector~~ provides notice to affected consumers pursuant to the requirements of the breach notification rule in 45 C.F.R. Part 164, Subpart D; ~~and~~

(3) provides notice to the Attorney General or to the Department of Financial Regulation pursuant to subdivision (b)(3)(B) of this section along with a written certification of compliance with 45 C.F.R. Part 164, Subpart D.

(f) Waiver. Any waiver of the provisions of this subchapter is contrary to public policy and is void and unenforceable.

(g) Financial institutions. Except as provided in subdivision (3) of this subsection, a financial institution that is subject to the following guidances, and any revisions, additions, or substitutions relating to an interagency guidance, shall be exempt from this section:

* * *

(h) Enforcement.

* * *

(2) With respect to a data collector that is a person or entity ~~licensed or registered with~~ regulated by the Department of Financial Regulation under Title 8 or this title, the Department of Financial Regulation shall have the full authority to investigate potential violations of this subchapter and to prosecute, obtain, and impose remedies for a violation of this subchapter or any rules or regulations adopted pursuant to this subchapter, as the Department has under Title 8 or this title or any other applicable law or regulation.

* * *

§ 2436. NOTICE OF DATA BROKER SECURITY BREACHES

(a) Short title and definitions.

(1) This section shall be known as the “Data Broker Security Breach Notice Act.”

(2)(A) As used in this section, “data broker security breach” means an unauthorized acquisition or a reasonable belief of an unauthorized acquisition of more than one instance of brokered personal information maintained by a data broker when the brokered personal information is not encrypted, redacted, or protected by another method that renders the information unreadable or unusable by an unauthorized person.

(B) “Data broker security breach” does not include good faith but unauthorized acquisition of brokered personal information by an employee or agent of the data broker for a legitimate purpose of the data broker, provided that the brokered personal information is not used for a purpose unrelated to the data broker’s business or subject to further unauthorized disclosure.

(C) In determining whether brokered personal information has been acquired or is reasonably believed to have been acquired by a person without valid authorization, a data broker may consider the following factors, among others:

(i) indications that the brokered personal information is in the physical possession and control of a person without valid authorization, such as a lost or stolen computer or other device containing brokered personal information;

(ii) indications that the brokered personal information has been downloaded or copied;

(iii) indications that the brokered personal information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; or

(iv) that the brokered personal information has been made public.

(b) Notice of breach.

(1) Except as otherwise provided in subsection (c) of this section, a data broker shall, following discovery or notification to the data broker of a security breach affecting a consumer, notify the consumer that there has been a data broker security breach. Notice of the security breach shall be made in the most expedient time possible and without unreasonable delay, but not later than 45 days after the discovery or notification, consistent with the legitimate needs of the law enforcement agency, as provided in subdivisions (3) and (4) of this subsection, or with any measures necessary to determine the scope of the security breach and restore the reasonable integrity, security, and confidentiality of the data system.

(2) A data broker shall provide notice of a breach to the Attorney General as follows:

(A)(i) The data broker shall notify the Attorney General of the date of the security breach and the date of discovery of the breach and shall provide a preliminary description of the breach within 14 business days, consistent with the legitimate needs of the law enforcement agency, as provided in subdivisions (3) and (4) of this subsection (b), after the data broker's discovery of the security breach.

(ii) If the date of the breach is unknown at the time notice is sent to the Attorney General, the data broker shall send the Attorney General the date of the breach as soon as it is known.

(iii) Unless otherwise ordered by a court of this State for good cause shown, a notice provided under this subdivision (2)(A) shall not be disclosed, without the consent of the data broker, to any person other than the authorized agent or representative of the Attorney General, a State's Attorney, or another law enforcement officer engaged in legitimate law enforcement activities.

(B)(i) When the data broker provides notice of the breach pursuant to subdivision (1) of this subsection (b), the data broker shall notify the Attorney General of the number of Vermont consumers affected, if known to the data broker, and shall provide a copy of the notice provided to consumers under subdivision (1) of this subsection (b).

(ii) The data broker may send to the Attorney General a second copy of the consumer notice, from which is redacted the type of brokered personal information that was subject to the breach, that the Attorney General shall use for any public disclosure of the breach.

(3) The notice to the Attorney General and a consumer required by this subsection shall be delayed upon request of a law enforcement agency. A law enforcement agency may request the delay if it believes that notification may impede a law enforcement investigation or a national or Homeland Security investigation or jeopardize public safety or national or Homeland Security interests. In the event law enforcement makes the request for a delay in a manner other than in writing, the data broker shall document the request contemporaneously in writing and include the name of the law enforcement officer making the request and the officer's law enforcement agency engaged in the investigation. A law enforcement agency shall promptly notify the data broker in writing when the law enforcement agency no longer believes that notification may impede a law enforcement investigation or a national or Homeland Security investigation or jeopardize public safety or national or Homeland Security interests. The data broker shall provide notice required by this subsection without unreasonable delay upon receipt of a written communication, which includes facsimile or electronic communication, from the law enforcement agency withdrawing its request for delay.

(4) The notice to a consumer required in subdivision (1) of this subsection shall be clear and conspicuous. A notice to a consumer of a security breach involving brokered personal information shall include a description of each of the following, if known to the data broker:

(A) the incident in general terms;

(B) the categories of brokered personal information that was subject to the security breach;

(C) the general acts of the data broker to protect the brokered personal information from further security breach;

(D) a telephone number, toll-free if available, that the consumer may call for further information and assistance;

(E) advice that directs the consumer to remain vigilant by reviewing account statements and monitoring free credit reports; and

(F) the approximate date of the data broker security breach.

(5) A data broker may provide notice of a security breach involving brokered personal information to a consumer by two or more of the following methods:

(A) written notice mailed to the consumer's residence;

(B) electronic notice, for those consumers for whom the data broker has a valid email address, if:

(i) the data broker's primary method of communication with the consumer is by electronic means, the electronic notice does not request or contain a hypertext link to a request that the consumer provide personal information, and the electronic notice conspicuously warns consumers not to provide personal information in response to electronic communications regarding security breaches; or

(ii) the notice is consistent with the provisions regarding electronic records and signatures for notices in 15 U.S.C. § 7001;

(C) telephonic notice, for those consumers for whom the data broker has a valid phone number, provided that the telephonic contact is made directly with each affected consumer and not through a prerecorded message and further provided that the data broker makes not less than five attempts to contact the consumer for a live conversation before the data broker may leave a voicemail providing information about the breach; or

(D) notice by publication in a newspaper of statewide circulation in the event the data broker cannot effectuate notice by any other means.

(c) Exception to notice requirement.

(1) Notice of a security breach pursuant to subsection (b) of this section is not required if the data broker establishes that misuse of brokered personal information is not reasonably possible and the data broker provides notice of the determination that the misuse of the brokered personal information is not reasonably possible pursuant to the requirements of this subsection. If the data broker establishes that misuse of the brokered personal information is not reasonably possible, the data broker shall provide notice of its determination that misuse of the brokered personal information is not reasonably possible and a detailed explanation for said determination to the Attorney General. The data broker may designate its notice and detailed explanation to the Attorney General as a trade secret if the notice and detailed explanation meet the definition of trade secret contained in 1 V.S.A. § 317(c)(9). Upon review of the data broker's notice and detailed explanation, the Attorney General may request additional information from the data broker and may accept or reject

the data broker's determination. If the Attorney General rejects the data broker's determination, the data broker shall provide notice of the security breach pursuant to subsection (b) of this section.

(2) If a data broker established that misuse of brokered personal information was not reasonably possible under subdivision (1) of this subsection and subsequently obtains facts indicating that misuse of the brokered personal information has occurred or is occurring, the data broker shall provide notice of the security breach pursuant to subsection (b) of this section.

(d) Waiver. Any waiver of the provisions of this subchapter is contrary to public policy and is void and unenforceable.

(e) Enforcement.

(1) A person who violates a provision of this section commits an unfair and deceptive act in commerce in violation of section 2453 of this title.

(2) The Attorney General has the same authority to adopt rules to implement the provisions of this section and to conduct civil investigations, enter into assurances of discontinuance, and bring civil actions as provided under chapter 63, subchapter 1 of this title.

* * *

Subchapter 3A. Student Privacy

* * *

§ 2443f. ENFORCEMENT

(a) A person who violates a provision of this ~~chapter~~ subchapter commits an unfair and deceptive act in commerce in violation of section 2453 of this title.

(b) The Attorney General has the same authority to adopt rules to implement the provisions of this subchapter and to conduct civil investigations, enter into assurances of discontinuance, and bring civil actions as provided under chapter 63, subchapter 1 of this title.

* * *

Subchapter 5. Data Brokers

§ 2446. DATA BROKERS; ANNUAL REGISTRATION

(a) ~~Annually, on or before January 31 following a year in which a~~ Registration. A person ~~meets, not more than 30 days after meeting the~~ definition of a data broker as ~~provided in section 2430 of this title, a data~~

~~broker and then once annually thereafter on or before July 1 of each year,~~
shall:

(1) register with the Secretary of State as a data broker;

(2) pay a registration fee of ~~\$100.00~~ \$900.00;

(3) maintain a bond in the amount of \$20,000.00 that shall run to the State for any liability arising under this subchapter, provided that the action on the bond is brought within two years after accrual of the cause of action; and

(4) provide the following information about the data broker to the Secretary of State:

(A) the name and primary physical, ~~e-mail~~ email, phone number, and Internet internet addresses of the data broker;

(B) ~~if the data broker permits a consumer to opt out of the data broker's collection of brokered personal information, opt out of its databases, or opt out of certain sales of data:~~

(i) ~~the method for requesting an opt-out;~~

(ii) ~~if the opt-out applies to only certain activities or sales, which ones; and~~

(iii) ~~whether the data broker permits a consumer to authorize a third party to perform the opt-out on the consumer's behalf;~~

(C) ~~a statement specifying the data collection, databases, or sales activities from which a consumer may not opt out;~~

(D) ~~a statement whether the data broker implements a purchaser credentialing process;~~

(E)(C) pursuant to section 2436 of this chapter, the number of data broker security breaches that the data broker has experienced during the prior year, and if known, the total number of consumers affected by the breaches;

(F)(D) where the data broker has actual knowledge that it possesses the brokered personal information of minors, a separate statement detailing the data collection practices, databases, sales activities, and opt-out policies that are applicable to the brokered personal information of minors; and

(G)(E) whether the data broker:

(i) collects the:

(I) precise geolocation of consumers;

(II) reproductive health care data of consumers;

-
- (III) biometric data of consumers;
 - (IV) immigration status of consumers;
 - (V) sexual orientation of consumers;
 - (VI) union membership status of consumers;
 - (VII) name, date of birth, zip code, email address, or phone number of consumers;
 - (VIII) account login or account number of consumers in combination with any required security code, access code, or password that would permit access to a consumer's account with a third party;
 - (IX) driver's license number, State identification card number, Social Security number, passport number, military identification number, or other unique identification number of consumers issued on a government document commonly used to verify the identity of a specific individual; or
 - (X) mobile advertising identification number, connected television identification number, or vehicle identification number of consumers; and
- (ii) in the past year, has shared or sold consumers' data to:
 - (I) a foreign actor;
 - (II) the federal government;
 - (III) to other state or local governments;
 - (IV) to law enforcement, unless the data was shared pursuant to a subpoena or other court order; or
 - (V) to a developer of a GenAI system or model;
- (F) the three most common types of personal information that the data broker collects, if the data broker does not collect the information set forth in subdivisions (E)(i)(VII) and (E)(i)(IX) of this subdivision (4);
 - (G) an electronic copy of the data broker's:
 - (i) bond, pursuant to subdivision (3) of this subsection (a); and
 - (ii) current privacy policy;
 - (H) any additional information or explanation the data broker chooses to provide concerning its data collection practices;

(I) the URL of a page on the data broker's website that:

(i) pursuant to subsection (c) of this section, allows a consumer to request that a data broker delete the brokered personal information of the consumer; and

(ii) informs consumers about the rights of consumers to opt out of the collection of the consumer's brokered personal information, including:

(I) whether the data broker permits a consumer to opt out of its databases, or opt out of certain sales of data;

(II) the procedure for requesting an opt-out;

(III) if the opt-out applies to only certain activities or sales, which activities or sales it applies to;

(IV) whether the data broker permits a consumer to authorize an authorized agent to perform the opt out on the consumer's behalf; and

(V) the data collection, databases, or sales activities from which a consumer may not opt out; and

(J) whether and to what extent the data broker or any of its subsidiaries is regulated by the Fair Credit Reporting Act; and

(5) amend an existing registration the data broker has with the Secretary of State if required by this section or by the State upon the payment of an administrative fee of \$100.00.

~~(b) A data broker that fails to register pursuant to subsection (a) of this section is liable to the State for: Penalties.~~

~~(1) a civil penalty of \$50.00 for each day, not to exceed a total of \$10,000.00 for each year, it fails to register pursuant to this section;~~

~~(2) an amount equal to the fees due under this section during the period it failed to register pursuant to this section; and~~

~~(3) other penalties imposed by law.~~

(1) A data broker that fails to register as required by subsection (a) of this section is liable to the State for:

(A) an administrative fine of \$200.00 for each day the data broker fails to register;

(B) an amount equal to the fees that were due during the period the data broker failed to register; and

(C) any reasonable costs incurred by the State in the investigation and administration of the action as the court deems appropriate.

(2) A data broker that fails to provide all registration information required in subdivision (a)(4) of this section shall file an amendment pursuant to subdivision (a)(5) of this section that includes any omitted information not later than 30 days after discovering or receiving notification of the omission and is liable to the State for a civil penalty of \$1,000.00 per day for each day thereafter that the data broker does not file an amendment providing the omitted information.

(3) A data broker that files materially incorrect information in its registration shall:

(A) be liable to the State for a civil penalty of \$25,000.00; and

(B) correct the materially incorrect information by filing an amendment pursuant to subdivision (a)(5) of this section not later than 30 days after discovering or receiving notification of the incorrect information, and, if it fails to correct the information, the data broker shall be liable for an additional civil penalty of \$1,000.00 per day for each day the data broker fails to correct the information.

(c) ~~The Attorney General may maintain an action in the Civil Division of the Superior Court to collect the penalties imposed in this section and to seek appropriate injunctive relief.~~ Deleting brokered personal information.

(1) A data broker shall:

(A) maintain a conspicuous page on its website where a consumer or an authorized agent of a consumer has the ability to request that the data broker delete the consumer's brokered personal information free of charge;

(B) delete the consumer's brokered personal information not later than 30 days after the consumer makes a deletion request pursuant to subdivision (A) of this subdivision (1), unless the data broker denies the request pursuant to subdivision (3) of this subsection (c); and

(C) notify the consumer that the consumer's brokered personal information has been deleted not later than five days after the information has been deleted.

(2) The web page maintained by a data broker pursuant to subdivision (1) of this subsection shall:

(A) describe how a consumer may exercise the consumer's right to delete the consumer's brokered personal information, including the process for the consumer to appeal the denial of a deletion request pursuant to subdivision (5) of this subsection (c);

(B) adhere to the accessibility and usability guidelines recommended pursuant to 42 U.S.C. chapter 126 (the Americans with Disabilities Act) and 29 U.S.C. § 794d (section 508 of the Rehabilitation Act of 1973); and

(C) employ design practices that facilitate easy comprehension and navigation for all users and that are free of any dark patterns.

(3) A data broker may deny a consumer's request to delete the consumer's brokered personal information pursuant to subdivision (1) of this subsection to the extent that:

(A) the retention of the consumer's brokered personal information is required by law or is required to comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by a federal, state, municipal, or other governmental authority; or

(B) the brokered personal information is:

(i) used by a consumer reporting agency to furnish a consumer report pursuant to the Fair Credit Reporting Act;

(ii) necessary to investigate, establish, exercise, prepare for, or defend a legal claim;

(iii) strictly necessary to fulfill a specific legal requirement on behalf of a business to which the data broker is bound by a written contract to fulfill that legal requirement;

(iv) used to prevent, detect, protect against, or respond to security incidents, identity theft, fraud, harassment, or to preserve the technical integrity or physical security of systems or investigate, report, or prosecute those responsible for any such action;

(v) data that is collected or used for purposes of the National Precursor Log Exchange, or its equivalent, pursuant to State or federal law;

(vi) processed solely in the data broker's capacity as a processor to a business with which the consumer has a direct relationship, as that term is defined in subdivision 2430(a)(6)(B) of this chapter; or

(vii) used in connection with underwriting, issuing title insurance, or completing an appraisal.

(4) Brokered personal information retained pursuant to subdivision (3) of this subsection shall be:

(A) separated or segregated from data used for any other purpose;

(B) deleted immediately upon the expiration of the legal or contractual requirement; and

(C) not used, sold, shared, or processed for any other purpose.

(5) A data broker shall provide the consumer with the ability to appeal an instance where the data broker denies the consumer's request to delete the consumer's brokered personal information pursuant to subdivision (3) of this subsection (c) with a process that:

(A) gives the consumer 45 days after the consumer receives notice that the data broker has denied the deletion request to initiate the appeal;

(B) is conspicuously available to the consumer;

(C) is similar to the manner in which a consumer submits a deletion request pursuant to subdivision (1) of this subsection (c);

(D) requires the data broker to approve or deny the appeal within 45 days after the date on which the data broker received the appeal and to notify the consumer in writing of the data broker's decision and the reasons for the decision; and

(E) requires a data broker that denies a consumer's appeal to provide information that enables the consumer to contact the Attorney General to submit a complaint.

(6)(A) If a data broker is unable to authenticate a deletion request made pursuant to subdivision (1) of this subsection (c), the data broker shall not be required to comply with the request and shall provide notice to the consumer or the consumer's agent that the data broker is unable to authenticate the request. The data broker shall provide the consumer with the additional information the data broker requires in order to authenticate the consumer.

(B) As used in this subdivision (6), "authenticate" means the use of reasonable measures to determine whether a deletion request is being made by, or on behalf of, the consumer who is entitled to exercise that request with respect to the brokered personal information at issue.

(d) Consumer rights web page. The Secretary of State shall create and maintain a publicly accessible page on its website that provides consumers with the following:

(1) a downloadable spreadsheet of data brokers that have registered with the State along with the information a data broker provides during registration pursuant to subsection (a) of this section;

(2) the URL of a page on each registered data broker's website that allows a consumer to delete the consumer's brokered personal information, pursuant to subdivision (c)(1) of this section; and

(3) any additional information about the rights consumers have pursuant to this subchapter.

(e) Enforcement.

(1) A person who violates a provision of this section commits an unfair and deceptive act in commerce in violation of section 2453 of this title.

(2) The Attorney General has the same authority to adopt rules to implement the provisions of this section and to conduct civil investigations, enter into assurances of discontinuance, and bring civil actions as provided under chapter 63, subchapter 1 of this title.

§ 2447. DATA BROKER DUTY TO PROTECT INFORMATION;
STANDARDS; TECHNICAL REQUIREMENTS

* * *

(d) Enforcement.

(1) A person who violates a provision of this section commits an unfair and deceptive act in commerce in violation of section 2453 of this title.

(2) The Attorney General has the same authority to adopt rules to implement the provisions of this ~~chapter~~ section and to conduct civil investigations, enter into assurances of discontinuance, and bring civil actions as provided under chapter 63, subchapter 1 of this title.

Sec. 2. STUDY OF ACCESSIBLE DELETION MECHANISM; REPORT;
APPROPRIATION

(a) The Secretary of State shall study the feasibility of:

(1) establishing an accessible deletion mechanism that:

(A) implements and maintains reasonable security procedures and practices, including administrative, physical, and technical safeguards appropriate to the nature of the information and the purposes for which brokered personal information will be used and to protect a consumer's brokered personal information from unauthorized use, disclosure, access, destruction, or modification;

(B) allows a consumer, through a single verifiable consumer request, to request that every data broker that maintains any brokered personal information about the consumer delete the brokered personal information;

(C) allows a consumer to selectively exclude specific data brokers from a request made under subdivision (B) of this subdivision (1);

(D) allows a consumer to alter a previous request made pursuant to subdivision (B) of this subdivision (1) after at least 45 days have passed since the consumer last made a request;

(E) allows a consumer to request the deletion of all brokered personal information related to that consumer all at once through a single deletion request;

(F) permits a consumer to securely submit information in one or more privacy-protecting ways to aid in the deletion request;

(G) allows a data broker registered with the Secretary of State to determine whether a consumer has submitted a verifiable request to delete the brokered personal information related to that consumer as described in subdivision (B) of this subdivision (1);

(H) does not allow the disclosure of any additional brokered personal information of a consumer when the data broker accesses the accessible deletion mechanism, unless otherwise specified in this subchapter;

(I) allows a consumer to make a request described in subdivision (B) of this subdivision (1) using a website operated by the Secretary of State;

(J) does not charge a consumer to make a request described in subdivision (B) of this subdivision (1);

(K) is readily accessible and usable by consumers with disabilities;

(L) supports the ability of a consumer's authorized agents to aid in the deletion request;

(M) allows the consumer or their authorized agent to verify the status of the consumer's deletion request; and

(N) provides a description of the following:

(i) the deletion permitted by this section;

(ii) the process for submitting a deletion request pursuant to this section; and

(iii) examples of the types of information that may be deleted; and

(2) utilizing a data broker's registry fund to hold monies received for transactions pursuant to 9 V.S.A. § 2446 and to disburse for the purpose of supporting and offsetting the costs of the accessible deletion mechanism set forth in subdivision (1) of this subsection.

(b) Reporting. The Secretary of State shall, based on the study set forth in subsection (a) of this section, submit to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs an interim report on or before December 1, 2027, and a final report on or before December 1, 2028, including its findings and any proposed legislation for the General Assembly's consideration. The interim report shall provide the General Assembly with any recommended actions to pursue in the 2028 legislative session.

(c) Appropriation. In fiscal year 2027, \$50,000.00 is appropriated from the General Fund to the Secretary of State for the purpose of hiring a consultant that will provide support to the Secretary in the study pursuant to subsection (a) of this section.

Sec. 3. EFFECTIVE DATE

This act shall take effect on January 1, 2027.

Rep. Burkhardt of South Burlington, for the Committee on Ways and Means, recommended the bill ought to pass when amended as recommended by the Committee on Commerce and Economic Development.

Rep. Mrowicki of Putney, for the Committee on Appropriations, recommended the bill ought to pass when amended as recommended by the Committee on Commerce and Economic Development.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

At eleven o'clock and fifty minutes in the forenoon, the Speaker declared a recess until the fall of the gavel.

Message from the Senate No. 31

A message was received from the Senate by Ms. Gradel, its Assistant Secretary, as follows:

Madam Speaker:

I am directed to inform the House that:

The Senate has on its part passed Senate bill of the following title:

S. 326. An act relating to miscellaneous amendments to laws relating to motor vehicles.

In the passage of which the concurrence of the House is requested.

The Senate has on its part adopted joint resolution of the following title:

J.R.S. 46. Joint resolution relating to weekend adjournment on March 27, 2026.

In the adoption of which the concurrence of the House is requested.

At one o'clock and twelve minutes in the afternoon, the Speaker called the House to order.

Orders of the Day Interrupted

On motion of **Rep. McCoy of Poultney**, the rules were suspended to interrupt the Orders of the Day for the purpose of Announcements.

Consideration of Bill Resumed

Thereupon, the question, Shall the bill be amended as recommended by the Committee on Commerce and Economic Development? was agreed to, and third reading ordered.

Second Reading; Bill Amended; Third Reading Ordered

H. 577

Rep. Critchlow of Colchester, for the Committee on Health Care, to which had been referred House bill, entitled

An act relating to establishing the Vermont Prescription Drug Discount Card Program

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 18 V.S.A. chapter 91, subchapter 7 is added to read:

Subchapter 7. Vermont Prescription Drug Discount Card Program

§ 4691. VERMONT PRESCRIPTION DRUG DISCOUNT CARD

PROGRAM

(a) There is established the Vermont Prescription Drug Discount Card Program, administered by the Office of the State Treasurer, for the purpose of pooling prescription drug purchasing power with other U.S. states and territories and nongovernmental organizations. The Program shall be made available to all Vermont residents.

(b)(1) To further the purposes of the Program, the State Treasurer may cooperate with other U.S. states and territories, regional consortia, or nongovernmental organizations, or a combination of these, to pool prescription drug purchasing power to:

- (A) reduce prescription drug costs;
- (B) negotiate discounts with prescription drug manufacturers;
- (C) centralize prescription drug purchasing; and
- (D) establish volume discount contracting.

(2) As used in subdivision (1)(D) of this subsection, “volume discount contracting” means the negotiated purchase of a large quantity of a prescription drug at a decreased cost.

(c) The Treasurer may require that reasonable fees be charged to defray Program costs. Notwithstanding any provision of 32 V.S.A. § 603 to the contrary, the amount and method of collection of any fee shall be determined by the Treasurer based on actual costs.

(d) The amount paid for a prescription drug after application of the Vermont Prescription Drug Discount Card by an individual who is covered by a health insurance plan, as defined in 8 V.S.A. § 4011, shall be attributed toward the covered individual’s deductible and out-of-pocket responsibilities in accordance with 8 V.S.A. § 4093 and section 3612 of this title.

(e) On or before January 15, 2028, and annually thereafter, the State Treasurer shall submit a report to the House Committee on Health Care, the Senate Committee on Health and Welfare, and the Governor detailing the activities of the Program during the previous calendar year, including the number of Vermont residents and pharmacies participating in the Program, the amount of savings on prescription drug costs achieved, and the balance in the Vermont Prescription Drug Discount Card Program Fund.

§ 4692. VERMONT PRESCRIPTION DRUG DISCOUNT CARD

PROGRAM FUND

(a) The Vermont Prescription Drug Discount Card Program Fund is established as a special fund to be administered by the State Treasurer to support the Vermont Prescription Drug Discount Card Program established in this subchapter.

(b) The Fund shall consist of:

- (1) any monies appropriated to the Fund by the General Assembly;
- (2) any monies transferred to the Fund from the federal government, other State agencies, or other government source;
- (3) any monies from the payment of fees or other monies due to the Program; and

(4) any gifts, grants, or donations made to the Fund and any gifts, grants, donations, or investments received by the Treasurer for the Program.

(c) The Treasurer shall credit to the Fund all interest earned on Fund balances and any other income derived from the deposit and investment of monies in the Fund.

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

Sec. 2. 8 V.S.A. § 4093 is amended to read:

§ 4093. RETAIL PHARMACIES; FILLING OF PRESCRIPTIONS

* * *

(c)(1) A health insurer or pharmacy benefit manager shall permit a participating network pharmacy to perform all pharmacy services within the lawful scope of the profession of pharmacy as set forth in 26 V.S.A. chapter 36.

(2) A health insurer or pharmacy benefit manager shall not do any of the following:

* * *

(F)(i) Exclude any amount paid by or on behalf of a covered individual, including any third-party payment, financial assistance, discount, discount card, coupon, or other reduction, regardless of whether the individual purchased the drug with or without using coverage for the drug under any health insurance plan, when calculating a covered individual's contribution toward:

(I) the out-of-pocket limits for prescription drug costs under section 4092 of this title;

(II) the covered individual's deductible, if any; or

(III) to the extent not inconsistent with Sec. 2707 of the Public Health Service Act, 42 U.S.C. § 300gg-6, the annual out-of-pocket maximums applicable to the covered individual's health benefit plan.

(ii) The provisions of subdivision (i) of this subdivision (F) relating to a third-party payment, financial assistance, discount, coupon, or other reduction in out-of-pocket expenses made on behalf of a covered individual shall only apply to a prescription drug:

(I) for which there is no generic drug or interchangeable biological product, as those terms are defined in 18 V.S.A. § 4601; or

(II) for which there is a generic drug or interchangeable biological product, as those terms are defined in 18 V.S.A. § 4601, but for which the covered individual has obtained access through prior authorization, a step therapy protocol, or the pharmacy benefit manager's or health insurer's exceptions and appeals process.

(iii) The provisions of subdivision (i) of this subdivision (F) shall apply to a high-deductible health plan only to the extent that it would not disqualify the plan from eligibility for a health savings account pursuant to 26 U.S.C. § 223.

(iv) In order to facilitate the appropriate attribution of amounts paid by or on behalf of a covered individual pursuant to subdivision (i) of this subdivision (F) for a covered individual who purchases a prescription drug without using the prescription drug coverage available for the drug under the covered individual's health insurance plan, the health insurer or pharmacy benefit manager, or both, shall:

(I) make readily available on its website a downloadable proof of payment form for a covered individual to use to submit proof of the actual amount that the covered individual paid for the drug; and

(II) provide notice to all covered individuals at least annually that they are responsible for providing proof of payment using the downloadable proof of payment form or another mechanism, if the health insurer or pharmacy benefit elects to make another mechanism available for submitting proof of payment in addition to the downloadable form, in order to have their spending properly attributed to their out-of-pocket limits, deductible, and out-of-pocket maximums as set forth in subdivision (i) of this subdivision (F).

* * *

Sec. 3. 18 V.S.A. § 3612 is amended to read:

§ 3612. PROHIBITED PRACTICES

* * *

(e)(1) A pharmacy benefit manager shall not require a covered person purchasing a covered prescription drug to pay an amount greater than the lesser of:

(A) the cost-sharing amount under the terms of the health benefit plan, ~~as determined in accordance with subdivision (2) of this subsection (e);~~

(B) the maximum allowable cost for the drug; or

(C) the amount the covered person would pay for the drug if the covered person were to pay the pharmacy's usual and customary cash price, after application of any known discounts, if the covered person were paying the cash price instead of using the drug benefit; provided, however, that as used in this subdivision (C), the term "discount" does not include a prescription drug discount card or other third-party prescription drug benefit program.

(2)(A) A pharmacy benefit manager shall attribute any amount paid by or on behalf of a covered person ~~under subdivision (1) of this subsection (e),~~ including any third-party payment, financial assistance, discount, discount card, coupon, or any other reduction in out-of-pocket expenses made by or on behalf of a covered person for prescription drugs, regardless of whether the person purchased the drug with or without using coverage for the drug under any health benefit plan, toward:

(i) the out-of-pocket limits for prescription drug costs under 8 V.S.A. § 4092;

(ii) the covered person's deductible, if any; and

(iii) to the extent not inconsistent with Sec. 2707 of the Public Health Service Act, 42 U.S.C. § 300gg-6, the annual out-of-pocket maximums applicable to the covered person's health benefit plan.

(B) The provisions of subdivision (A) of this subdivision (2) relating to a third-party payment, financial assistance, discount, coupon, or other reduction in out-of-pocket expenses made on behalf of a covered person shall only apply to a prescription drug:

(i) for which there is no generic drug or interchangeable biological product, as those terms are defined in section 4601 of this title; or

(ii) for which there is a generic drug or interchangeable biological product, as those terms are defined in section 4601 of this title, but for which the covered person has obtained access through prior authorization, a step therapy protocol, or the pharmacy benefit manager's or health benefit plan's exceptions and appeals process.

(C) The provisions of subdivision (A) of this subdivision (2) shall apply to a high-deductible health plan only to the extent that it would not disqualify the plan from eligibility for a health savings account pursuant to 26 U.S.C. § 223.

(D) In order to facilitate the appropriate attribution of amounts paid by or on behalf of a covered person pursuant to subdivision (A) of this subdivision (2) for a covered person who purchases a prescription drug without using the prescription drug coverage available for the drug under the covered person's health benefit plan, the pharmacy benefit manager shall:

(i) make readily available on its website a downloadable proof of payment form for a covered person to use to submit proof of the actual amount that the covered person paid for the drug; and

(ii) provide notice to all covered person at least annually that they are responsible for providing proof of payment using a downloadable proof of payment form or another mechanism, if the pharmacy benefit manager elects to make another mechanism available for submitting proof of payment in addition to the downloadable form, in order to have their spending properly attributed to their out-of-pocket limits, deductible, and out-of-pocket maximums as set forth in subdivision (A) of this subdivision (2).

* * *

Sec. 4. VERMONT PRESCRIPTION DRUG DISCOUNT CARD PROGRAM; IMPLEMENTATION REPORT

On or before January 15, 2027, the State Treasurer shall report to the General Assembly regarding implementation of the Vermont Prescription Drug Discount Card Program established in 18 V.S.A. chapter 91, subchapter 7, as added by Sec. 1 of this act, as of that date, including any recommendations for improving the administration of the Program, any fees to be charged to participants, and an estimate of the projected costs to the State in the event that additional financial support is determined to be necessary to administer the Program.

Sec. 5. VERMONT PRESCRIPTION DRUG DISCOUNT CARD PROGRAM; EVALUATION AND START-UP FUNDING

In fiscal year 2027, the sum of \$50,000.00 is appropriated from the General Fund to the Office of the State Treasurer for the costs of developing and implementing the Vermont Prescription Drug Discount Card Program as set forth in this act.

Sec. 6. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

Rep. Branagan of Georgia, for the Committee on Ways and Means, recommended that the report of the Committee on Health Care be amended as follows:

First: By striking out Sec. 1, 18 V.S.A. chapter 91, subchapter 7, in its entirety and inserting in lieu thereof a new Sec. 1 to read as follows:

Sec. 1. 18 V.S.A. chapter 91, subchapter 7 is added to read:

Subchapter 7. Vermont Prescription Drug Discount Card Program

§ 4691. VERMONT PRESCRIPTION DRUG DISCOUNT CARD

PROGRAM

(a) There is established the Vermont Prescription Drug Discount Card Program, administered by the Office of the State Treasurer, for the purpose of pooling prescription drug purchasing power with other U.S. states and territories and nongovernmental organizations. The Program shall be made available to all Vermont residents.

(b)(1) To further the purposes of the Program, the State Treasurer may cooperate with other U.S. states and territories, regional consortia, or nongovernmental organizations, or a combination of these, to pool prescription drug purchasing power to:

- (A) reduce prescription drug costs;
- (B) negotiate discounts with prescription drug manufacturers;
- (C) centralize prescription drug purchasing; and
- (D) establish volume discount contracting.

(2) As used in subdivision (1)(D) of this subsection, “volume discount contracting” means the negotiated purchase of a large quantity of a prescription drug at a decreased cost.

(c) Monies received by the Program from transfers, gifts, grants, donations, or any other source, including any monies provided to the State through a cooperative arrangement authorized by this section, shall be deposited in the Financial Literacy and Economic Empowerment Trust Fund established pursuant to 32 V.S.A. § 111 and shall be available to the Office of the State Treasurer to defray costs associated with administering the Program.

(d) The amount paid for a prescription drug after application of the Vermont Prescription Drug Discount Card by an individual who is covered by a health insurance plan, as defined in 8 V.S.A. § 4011, shall be attributed toward the covered individual’s deductible and out-of-pocket responsibilities in accordance with 8 V.S.A. § 4093 and section 3612 of this title.

(e) On or before January 15, 2028, and annually thereafter, the State Treasurer shall submit a report to the House Committee on Health Care, the Senate Committee on Health and Welfare, and the Governor detailing the activities of the Program during the previous calendar year, including the number of Vermont residents and pharmacies participating in the Program and the amount of savings on prescription drug costs achieved.

Second: By adding a new section to be Sec. 3a to read as follows:

Sec. 3a. 32 V.S.A. § 111 is amended to read:

§ 111. FINANCIAL LITERACY AND ECONOMIC EMPOWERMENT

TRUST FUND

(a) There is hereby established ~~and created~~ a special fund entitled the Financial Literacy and Economic Empowerment Trust Fund to be administered by the State Treasurer. ~~The purpose~~ purposes of the Fund ~~is~~ are:

(1) to promote the adoption of fiscally sound money management practices by Vermonters through education and outreach efforts that raise awareness of the need for and benefits of practicing such skills and;

(2) to create opportunities to build and encourage the development of new financial literacy activities and educational products for Vermonters; and

(3) to support other economic empowerment opportunities for Vermonters.

(b) The Fund may receive State ~~appropriations~~ transfers, gifts, grants, federal funds, and any other funds, both public and private, consistent with this section. ~~The Funds~~ Monies in the Fund may be expended in accordance with the trust fund provisions of section 462 of this title for such financial literacy projects as the Treasurer may direct and to defray costs associated with administering the Vermont Prescription Drug Discount Program established pursuant to 18 V.S.A. chapter 91, subchapter 7, ~~in accordance with the trust fund provisions of section 462 of this title.~~

(c) The Treasurer may invest monies in the Fund in accordance with the provisions of section 434 of this title. All balances in the Fund at the end of the fiscal year shall be carried forward and shall not revert to the General Fund. Interest earned shall remain in the Fund. The Treasurer's annual financial report to the Governor and the General Assembly shall contain an accounting of receipts, disbursements, and earnings of the Fund.

Third: In Sec. 4, Vermont Prescription Drug Discount Card Program; implementation report, by striking out “, any fees to be charged to participants,”

Rep. Dickinson of St. Albans Town, for the Committee on Appropriations, recommended that the bill ought to pass when amended as recommended by the Committee on Health Care and when further amended as recommended by the Committee on Ways and Means.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Health Care amended as recommended by the Committee on Ways and Means. Thereupon, the report of the Committee on Health Care, as amended, was agreed to and third reading ordered.

Second Reading; Bill Amended; Third Reading Ordered

H. 718

Rep. Campbell of St. Johnsbury, for the Committee on Energy and Digital Infrastructure, to which had been referred House bill, entitled

An act relating to building energy efficiency

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

* * * Findings * * *

Sec. 1. FINDINGS

The General Assembly finds that:

(1) Public policy for several years has implemented strategies to stimulate construction to relieve Vermont’s severe housing shortage. These actions are gaining momentum without appropriate construction standards for one- and two-unit dwellings and with uneven application of energy efficiency standards.

(2) Recommendations by stakeholders and building efficiency experts in the 2023 Building Energy Code Study Committee and the 2024 and 2025 Building Energy Code Working Group consistently find that Vermont’s mandatory energy codes, the Residential Building Energy Standards (RBES) and the Commercial Building Energy Standards (CBES), are a subset of building construction codes and should eventually be administered by the Division of Fire Safety, which administers all other building codes.

(3) Vermont has not adopted a residential building construction code applicable to one- and two-unit dwellings, which means that for these

buildings there is no administrative infrastructure or enforcement mechanism for implementing energy codes consistently and effectively. Lack of a residential building code also means Vermont lacks a standard-of-care reference for the public, builders, designers, insurance companies, or the courts, and such lack also may limit the State's ability to access certain federal funding.

(4) Lack of consistent and effective implementation and enforcement of the RBES in particular has resulted in low compliance rates, according to studies by the Department of Public Service.

(5) Recommendations of the 2024 and 2025 Working Group include leveraging the Office of Professional Regulation's (OPR's) residential contractor registry to provide market incentives to contractors to register and obtain voluntary certifications, including in energy codes. However, the registry has not so far proved effective for the public, contractors, or OPR.

(6) OPR does not have adequate resources to make substantial improvements to the registry. The 2025 Working Group recommended convening a Task Force and appropriating funding to assist OPR.

(7) While the RBESs do apply to single-family residences, the Department of Public Service has advised the General Assembly that enabling legislation does not provide clear authority for municipalities to administer and enforce the RBES at the local level. Some municipalities do wish to have that authority.

* * * Residential Building Code * * *

Sec. 2. ADOPTION OF RESIDENTIAL BUILDING CODE

On or before January 15, 2027, the Director of Fire Safety shall complete an assessment on whether and how the State should adopt a residential building code. The Director shall submit the report with the recommendation to the House Committees on Energy and Digital Infrastructure and on General and Housing and the Senate Committee on Economic Development, Housing and General Affairs.

* * * Task Force * * *

Sec. 3. RESIDENTIAL CONTRACTOR REGISTRY TASK FORCE; REPORTS

(a) Creation. There is created the Residential Contractor Registry Task Force to improve the existing residential contractor registry and expedite the creation of certain voluntary certifications. The Task Force shall act in an advisory capacity to Office of Professional Regulation (OPR).

(b) Membership. The Task Force shall be composed of the following members:

- (1) one member appointed by the Secretary of State;
- (2) one member appointed by the Commissioner of Public Safety;
- (3) one member appointed by the Vermont Builders and Remodelers Association;
- (4) one member appointed by the American Institute of Architects Vermont;
- (5) one member appointed by the Secretary of Education;
- (6) one member appointed by the Chancellor of the Vermont State Colleges System;
- (7) one member from the Office of Economic Opportunity's Weatherization Assistance Program;
- (8) one member from the Vermont League of Cities and Towns;
- (9) one member appointed by Efficiency Vermont;
- (10) one member appointed by the Commissioner of Public Service;
- (11) one member from the Vermont Attorney General's office;
- (12) one member from Associated Builders and Contractors of New Hampshire and Vermont;
- (13) one member from Associated General Contractors of Vermont;
- (14) one residential contractor not affiliated with Associated Builders and Contractors of New Hampshire and Vermont or Associated General Contractors of Vermont, appointed by the Governor; and
- (15) one member of the public appointed by the Governor.

(c) Powers and duties. The Task Force shall advise OPR on ways to:

- (1) address shortcomings in the existing residential contractor registry, including:
 - (A) improving public-facing web presence;
 - (B) identifying cost-efficient outreach strategies to the public and residential contractors;
 - (C) identifying and creating lists of trade specialties; and
 - (D) clarifying the relationship between business-based registrations and individual-based certifications;

(2) expedite the creation of voluntary certifications, including identifying, vetting and recommending credentialing entities, with initial certifications in the following or similar subject areas:

(A) construction site supervisor;

(B) basic energy code, both residential and commercial; and

(C) high-performance building;

(3) assess how to improve the energy education modules required under 3 V.S.A. § 138 and whether they should be administered by the Department of Public Service;

(4) assess whether the type of regulation for residential contractors should be changed from registration to certification or licensure;

(5) assess whether and how the regulating entity for residential building contractors should be transferred from the Office of Professional Regulation to the Division of Fire Safety; and

(6) consider any other strategies to improve and streamline the regulation of the residential construction industry.

(d) Assistance.

(1) The Task Force shall have the administrative, technical, and legal assistance of the Office of Professional Regulation.

(2) The Division of Fire Safety and Department of Public Service shall provide informational assistance and technical expertise to the Task Force regarding issues related to building codes and energy performance.

(e) Reports. Beginning in 2026, the Task Force shall submit annual reports on or before November 1 to the Office of Professional Regulation, the House Committees on Energy and Digital Infrastructure and on General and Housing, and the Senate Committees on Economic Development, Housing and General Affairs and on Natural Resources and Energy with its findings and any recommendations for legislative action.

(f) Meetings.

(1) The member appointed by the Secretary of State shall call the first meeting of the Task Force to occur on or before August 1, 2026, and the Task Force shall then meet at least monthly through July 2027 and then thereafter at least every other month.

(2) The Task Force shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Task Force shall cease to exist on June 30, 2029.

(g) Compensation and reimbursement.

(1) Members of the Task Force who are not otherwise compensated by their employer for attendance at meetings shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010.

(2) Payments to members of the Task Force authorized under this subsection shall be made from monies appropriated to the Office of Professional Regulation.

* * * Energy Education * * *

* * * Architects, Engineers, and Property Inspectors * * *

Sec. 4. 3 V.S.A. § 138 is amended to read:

§ 138. REQUIRED EDUCATION FOR SPECIFIED LICENSEES; STATE
ENERGY GOALS

* * *

(b) The Office shall require each of the licensees described in subsection (a) of this section to complete an education module regarding the State's energy goals and how each licensee's specific profession can further those goals.

(1) The education module ~~shall be not more than two hours and~~ shall be required as a condition of initial licensure and each license renewal. The module shall explain how the work of the profession or trade intersects with the energy codes and affects the energy, air flow, and moisture management dynamics of the building as an integrated system and include education on any State or utility incentives relevant to the profession.

~~(A) The education module for initial licensure shall provide general information regarding the State's energy goals.~~

~~(B) The education module for license renewal shall provide any updates on the State's energy goals and any updates regarding corresponding State energy programs applicable to the profession.~~

(2) The Office shall consider any recommendations on these education modules provided by relevant stakeholders and approve education modules in consultation with the Agency of Natural Resources and the Department of Public Service for all the licensees set forth in subsection (a) of this section and in consultation with the Department of Taxes for real estate appraisers and real estate brokers and sales persons. Beginning January 1, 2028, and every 3

years thereafter, the Office shall review these education modules, consider recommendations by relevant stakeholders, and update the modules as necessary.

* * * Heating Equipment Technicians * * *

Sec. 5. 20 V.S.A. § 2731 is amended to read:

§ 2731. RULES; INSPECTIONS; VARIANCES

(a) Rules.

(1) The Commissioner is authorized to adopt rules regarding the construction of buildings, maintenance and operation of premises, and prevention of fires and removal of fire hazards, and to prescribe standards necessary to protect the public, employees, and property against harm arising out of or likely to arise out of fire.

(2)(A) The Commissioner shall require each of the following certificants to complete an education module regarding the State's energy goals and how each certificant's specific profession can further those goals:

* * *

(B) The education module shall be not more than two hours and shall be required as a condition of initial certification and certification renewal. The module shall explain how the work of the profession or trade intersects with the energy codes and affects the energy, air flow, and moisture management dynamics of the building as an integrated system and include education on any State or utility incentives relevant to the profession.

~~(i) The education module for initial certification shall provide general information regarding the State's energy goals.~~

~~(ii) The education module for certification renewal shall provide any updates on the State's energy goals and any updates regarding corresponding State energy programs applicable to the profession.~~

(C) The Commissioner shall consider any recommendations on these education modules provided by relevant stakeholders and approve education modules in consultation with the Agency of Natural Resources and the Department of Public Service. Beginning January 1, 2028, and every 3 years thereafter, the Commissioner shall review these education modules, consider recommendations by relevant stakeholders, and update the modules as necessary.

* * *

* * * Commissioned Boiler Inspectors * * *

Sec. 6. 20 V.S.A. § 2884 is amended to read:

§ 2884. QUALIFICATIONS OF INSPECTORS

* * *

(b) ~~Education.—The Commissioner shall require each boiler inspector to complete an education module regarding the State’s energy goals and how the boiler inspection profession can further those goals.~~

(1) ~~The education module shall be not more than two hours and shall be required as a condition of initial authorization and authorization renewal. The module shall include education on any State or utility incentives relevant to the profession.~~

(A) ~~The education module for initial authorization shall provide general information regarding the State’s energy goals.~~

(B) ~~The education module for authorization renewal shall provide any updates on the State’s energy goals and any updates regarding corresponding State energy programs applicable to the profession.~~

(2) ~~The Commissioner shall consider any recommendations on these education modules provided by relevant stakeholders and approve education modules in consultation with the Agency of Natural Resources and the Department of Public Service. [Repealed.]~~

* * *

* * * Electricians * * *

Sec. 7. 26 V.S.A. § 905 is amended to read:

§ 905. APPLICATION; EXAMINATIONS, EDUCATION, AND FEES

* * *

(g) Pursuant to qualifications and procedures determined by the Commissioner, the Board shall, upon request, waive application fees for qualified military members and military spouses.

(1) The education module shall be not more than two hours and shall be required as a condition of initial licensure and license renewal. The module shall explain how the work of the profession or trade intersects with the energy codes and affects the energy, air flow, and moisture management dynamics of the building as an integrated system and include education on any State or utility incentives relevant to the profession.

~~(A) The education module for initial licensure shall provide general information regarding the State's energy goals.~~

~~(B) The education module for license renewal shall provide any updates on the State's energy goals and any updates regarding corresponding State energy programs applicable to the profession.~~

(2) The Commissioner shall consider any recommendations on these education modules provided by relevant stakeholders and approve education modules in consultation with the Agency of Natural Resources and the Department of Public Service. Beginning January 1, 2028, and every 3 years thereafter, the Commissioner shall review these education modules, consider recommendations by relevant stakeholders, and update the modules as necessary.

* * *

* * * Plumbers * * *

Sec. 8. 26 V.S.A. § 2193 is amended to read:

§ 2193. APPLICATIONS; EXAMINATIONS, EDUCATION, AND
FEES

* * *

(f) In addition to other education requirements of this subchapter, the Commissioner shall require each applicant to complete an education module regarding the State's energy goals and how the plumbing profession can further those goals.

(1) The education module shall be not more than two hours and shall be required as a condition of initial licensure and license renewal, except that master and journeyman plumbers who complete this education module shall not be required to complete this education module for any additional specialty license. The module shall explain how the work of the profession or trade intersects with the energy codes and affects the energy, air flow, and moisture management dynamics of the building as an integrated system and include education on any State or utility incentives relevant to the profession.

~~(A) The education module for initial licensure shall provide general information regarding the State's energy goals.~~

~~(B) The education module for license renewal shall provide any updates on the State's energy goals and any updates regarding corresponding State energy programs applicable to the profession.~~

(2) The Commissioner shall consider any recommendations on these education modules provided by relevant stakeholders and approve education modules in consultation with the Agency of Natural Resources and the Department of Public Service. Beginning January 1, 2028, and every 3 years thereafter, the Commissioner shall review these education modules, consider recommendations by relevant stakeholders, and update the modules as necessary.

Sec. 9. ENERGY PROFESSIONALS REGULATION REPORT

The Office of Professional Regulation shall conduct a sunrise process to assess whether Home Energy Rating Systems raters and energy professionals should be regulated professions. On or before November 1, 2028, the Office shall submit a report with its recommendations to the House Committees on Energy and Digital Infrastructure and on Government Operations and Military Affairs and the Senate Committees on Economic Development, Housing, and General Affairs and on Natural Resources and Energy.

* * * Energy Code Enforcement * * *

Sec. 10. 30 V.S.A. § 51 is amended to read:

§ 51. RESIDENTIAL BUILDING ENERGY STANDARDS; STRETCH CODE

* * *

(j) Municipal enforcement. A municipality may enforce the RBES within the municipality in compliance with this section.

(k) Transitional safe harbor compliance.

(1) This subsection applies to any residential building for which a certificate of compliance with the Residential Building Energy Standards was filed pursuant to this section using the 2020 RBES compliance path during the period beginning on September 17, 2025, the effective date of Executive Order No. 06-25 of 2025, and until such time as amendments to the RBES rules are adopted.

(2) A building described in subdivision (1) of this subsection shall be deemed to be in compliance with this section. The use of the 2020 RBES compliance path during that period shall not, by itself, constitute a violation of this section or of any rule adopted under this section.

(3) The State shall not bring an enforcement action under this section based solely on the use of the 2020 RBES compliance path for a building described in subdivision (1) of this subsection, and no damages, penalties, or

other relief shall be awarded in an action brought under subsection (g) of this section based solely on such use.

Sec. 11. 30 V.S.A. § 53 is amended to read:

§ 53. COMMERCIAL BUILDING ENERGY STANDARDS

* * *

(h) Municipal enforcement. A municipality may enforce the CBES within the municipality in compliance with this section.

(i) Transitional safe harbor compliance.

(1) This subsection applies to any commercial building for which the builder or owner complied with the version of the 2020 Commercial Building Energy Standards as referenced in Executive Order No. 06-25 of 2025 during the period beginning on September 17, 2025, the effective date of the Executive Order, and until such time as amendments to the CBES rules are adopted.

(2) A building described in subdivision (1) of this subsection shall be deemed to be in compliance with this section. The use of the 2020 version of the CBES during that period shall not, by itself, constitute a violation of this section or of any rule adopted under this section.

(3) The State shall not bring an enforcement action under this section based solely on the use of the 2020 version of the CBES for a building described in subdivision (1) of this subsection.

Sec. 12. 24 V.S.A. § 3101 is amended to read:

§ 3101. BYLAWS AND ORDINANCES; PENALTIES

(a) The mayor and board of aldermen of a city, the selectboard of a town, or the trustees of an incorporated village, may, in accordance with this chapter, establish codes and regulations for the construction, maintenance, repair, and alteration of buildings and other structures within the municipality. Such codes and regulations may include provisions relating to building materials, structural design, passageways, stairways and exits, heating systems, fire protection procedures, and such other matters as may be reasonably necessary for the health, safety, and welfare of the public, but excluding electrical installations subject to regulation under 26 V.S.A. chapter 15. The adopted codes and regulations may incorporate by reference the Residential Building Energy Standards and the Commercial Building Energy Standards established pursuant to 30 V.S.A. chapter 2.

(b) Any code or regulation under subsection (a) of this section shall be adopted, amended, or repealed and enforced pursuant to the provisions of chapter 59 of this title.

(c) When any municipality adopts or amends a building code, it shall impose requirements consistent with the current rules and standards adopted by the Commissioner of Public Safety under 20 V.S.A. chapter 173, subchapter 2.

* * *

(g) Incorporation of the Residential Building Energy Standards and the Commercial Building Energy Standards pursuant to subsection (a) of this section shall allow the municipality to enforce those standards.

* * * Appropriations * * *

Sec. 13. APPROPRIATIONS

Notwithstanding any provision of law to the contrary:

(1) In fiscal year 2027, the sum of \$200,000.00 is appropriated from the General Fund to the Department of Public Service for the purpose of funding, as part of the energy efficiency utilities' 2027–2029 Demand Resource Plans, consultation and technical support to municipalities that elect to adopt and enforce the Residential Building Energy Standards and the Commercial Building Energy Standards.

(2) In fiscal year 2027, the sum of \$200,000.00 is appropriated from the General Fund to the Office of Professional Regulation to support the Residential Contractor Registry Task Force established in Sec. 3 of this act with the goal of identifying a consumer-oriented agency or organization to host a website to raise public awareness of the residential contractor registry; providing funding to that agency or organization to launch and manage the website on or before December 31, 2027 and supporting the Office of Professional Regulation in the development of voluntary certifications.

* * * Effective Date * * *

Sec. 14. EFFECTIVE DATE

This act shall take effect on July 1, 2026.

Rep. Kascenska of Burke, for the Committee on Appropriations, recommended that the report of the Committee on Energy and Digital Infrastructure be amended by striking out Sec. 13, appropriations, in its entirety and inserting in lieu thereof a new Sec. 13 to read as follows:

Sec. 13. CONTINGENCY OF FUNDING

The duty to implement the Residential Contractor Registry Task Force described in Sec. 3 of this act is contingent upon an appropriation of funds in fiscal year 2027 from the General Fund to the Office of Professional Regulation for that purpose.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Energy and Digital Infrastructure was amended as recommended by the Committee on Appropriations.

Pending the question, Shall the bill be amended as recommended by the Committee on Energy and Digital Infrastructure, as amended?, **Rep. Higley of Lowell** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as recommended by the Committee on Energy and Digital Infrastructure, as amended?, was decided in the affirmative. Yeas, 83. Nays, 58.

Those who voted in the affirmative are:

Arsenault of Williston	Emmons of Springfield	Minier of South Burlington
Austin of Colchester	Garofano of Essex	Morris of Springfield
Bartholomew of Hartland	Goldman of Rockingham	Morrow of Weston
Berbeco of Winooski	Goodnow of Brattleboro	Mrowicki of Putney
Birong of Vergennes	Graning of Jericho	Nigro of Bennington
Bishop of Colchester	Greer of Bennington	Nugent of South Burlington
Black of Essex	Harple of Glover	O'Brien of Tunbridge
Bluemle of Burlington	Headrick of Burlington	Ode of Burlington
Bos-Lun of Westminster	Holcombe of Norwich	Olson of Starksboro
Brady of Williston	Hooper of Randolph	Pezzo of Colchester
Brown of Richmond	Houghton of Essex Junction	Pouech of Hinesburg
Burke of Brattleboro	Howard of Rutland City	Priestley of Bradford
Burkhardt of South Burlington	Hoyt of Hartford	Rachelson of Burlington
Burrows of West Windsor *	Hunter of Manchester	Satcowitz of Randolph
Campbell of St. Johnsbury*	James of Manchester	Scheu of Middlebury
Carris Duncan of Whitingham	Kascenska of Burke	Sheldon of Middlebury
Casey of Montpelier	Kimbell of Woodstock	Sibilia of Dover
Chapin of East Montpelier	Kleppner of Burlington	Squirrell of Underhill
Cina of Burlington	Kornheiser of Brattleboro	Stevens of Waterbury
Cole of Hartford	Krasnow of South Burlington	Stone of Burlington
Conlon of Cornwall	Lalley of Shelburne	Sweeney of Shelburne
Cooper of Pownal	LaLonde of South Burlington	Tomlinson of Winooski
Critchlow of Colchester	LaMont of Morristown	Torre of Moretown
Dolan of Essex Junction *	Long of Newfane	Waszazak of Barre City
Duke of Burlington	Lueders of Lincoln	Waters Evans of Charlotte
Durfee of Shaftsbury	Masland of Thetford	White of Waitsfield
		White of Bethel
		Wood of Waterbury

Eastes of Guilford

McGill of Bridport
Mihaly of Calais

Those who voted in the negative are:

Bartley of Fairfax	Galfetti of Barre Town *	Nelson of Derby
Bosch of Clarendon	Goslant of Northfield	North of Ferrisburgh
Boutin of Barre City	Gregoire of Fairfield	Noyes of Wolcott
Boyden of Cambridge	Hango of Berkshire	Oliver of Sheldon
Branagan of Georgia	Harvey of Castleton	Page of Newport City
Brigham of St. Albans Town	Higley of Lowell	Parsons of Newbury
Burditt of West Rutland	Howland of Rutland Town	Pinsonault of Dorset
Burt of Cabot	Keyser of Rutland City	Powers of Waterford
Canfield of Fair Haven	Labor of Morgan	Pritchard of Pawlet
Casey of Hubbardton	Laroche of Franklin	Quimby of Lyndon
Charlton of Chester	Lipsky of Stowe	Southworth of Walden
Coffin of Cavendish *	Luneau of St. Albans City	Steady of Milton
Corcoran of Bennington	Maguire of Rutland City	Tagliavia of Corinth
Demar of Enosburgh	Malay of Pittsford	Taylor of Milton
Dickinson of St. Albans Town	Marcotte of Coventry	Taylor of Mendon
Dobrovich of Williamstown	McCoy of Poultney	Walker of Swanton
Dolgin of St. Johnsbury	McFaun of Barre Town	Wells of Brownington
Donahue of Northfield	Morgan, L. of Milton	Winter of Ludlow
Feltus of Lyndon	Morgan, M. of Milton	Yacovone of Morristown
	Morrissey of Bennington	

Those members absent with leave of the House and not voting are:

Bailey of Hyde Park	Logan of Burlington	Nielsen of Brandon
Christie of Hartford	McCann of Montpelier	
Dodge of Essex	Micklus of Milton	

Rep. Burrows of West Windsor provided the following vote explanation:

“Madam Speaker:

I am voting to support this bill in the hopes that my colleagues who also support it will one day recognize the parallel to universal design and choose to support that important concept, too.”

Rep. Campbell of St. Johnsbury provided the following vote explanation:

“Madam Speaker:

Buildings are complex energy, temperature, and moisture control systems. H.718 incentivizes builders to take advantage of training opportunities. I voted to support this effort.”

Rep. Coffin of Cavendish provided the following vote explanation:

“Madam Speaker:

Vermonters cannot afford one more barrier, one more added cost, or one more regulation standing in the way of putting a roof over their families’ heads. We need houses, not one more set of regulations or another study. We need to do as the people asked us to do, find ways to make Vermont more affordable. Not a single person asked me to create one more obstacle towards building housing.”

Rep. Dolan of Essex Junction provided the following vote explanation:

“Madam Speaker:

This bill does not increase the cost of housing. It focuses on increasing the usefulness of the contractor registry. The goal of the registry is to support contractors and help consumers make informed choices.”

Rep. Galfetti of Barre Town provided the following vote explanation:

“Madam Speaker:

More studies for more regulations to make building housing more expensive does not make sense. Let’s enforce the regulations we have before we make more.”

Thereupon, third reading was ordered.

Second Reading; Bill Amended; Third Reading Ordered

H. 740

Rep. James of Manchester, for the Committee on Energy and Digital Infrastructure, to which had been referred House bill, entitled

An act relating to the greenhouse gas inventory and registry

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 10 V.S.A. § 582 is amended to read:

§ 582. GREENHOUSE GAS INVENTORIES; REGISTRY

* * *

(e) Rules.

(1) The Secretary may adopt rules to implement the provisions of this section and shall review existing and proposed international, federal, and State greenhouse gas emission reporting programs and make reasonable efforts to promote consistency among the programs established pursuant to this section

and other programs, and to streamline reporting requirements on greenhouse gas emission sources. Except as provided in subsection (g) of this section, nothing in this section shall limit a State agency from adopting any rule within its authority.

(2) The Secretary has authority to adopt rules that create a comprehensive greenhouse gas emission reporting program that covers all sources of emissions, including fuel suppliers. Suppliers of transportation and heating fuels covered by the rules shall comply with requests from the Secretary for information. The Secretary shall adopt a rule that at a minimum includes the types and volume of fossil fuels sold by sector for the transportation, residential, commercial, and industrial sectors and by zip code, municipality, or the smallest geographic level practicable.

* * *

Sec. 2. RULEMAKING

On or before July 1, 2027, the Secretary of Natural Resources shall adopt final rules for greenhouse gas reporting as required under 10 V.S.A. § 582(e)(2).

Sec. 3. APPROPRIATION AND POSITIONS

(a) Funding. In addition to other funds appropriated to the Agency of Natural Resources, the sum of \$500,000.00 shall be appropriated from the General Fund as a base appropriation, which will be used to draft the greenhouse gas emission reporting rules, to develop a greenhouse gas emission source database, and to support staff and on-going efforts required to implement emission source data collection.

(b) Positions. In fiscal year 2027, the establishment of two new permanent classified Environmental Analyst V positions in the Agency of Natural Resources is authorized.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommended that the report of the Committee on Energy and Digital Infrastructure be amended as follows:

First: By striking out Sec. 2 in its entirety and inserting in lieu thereof a new Sec. 2 to read as follows:

Sec. 2. RULEMAKING

Contingent upon an appropriation of funds in fiscal year 2027, for this purpose, on or before July 1, 2027, the Secretary of Natural Resources shall adopt final rules for greenhouse gas reporting as required under 10 V.S.A. § 582(e)(2). The duty to create a database for the reporting of data is also contingent upon an appropriation of funds.

Second: By striking out Sec. 3, appropriation and positions, in its entirety and by renumbering the remaining section to be numerically correct.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and the report of the Committee on Energy and Digital Infrastructure was amended as recommended by the Committee on Appropriations.

Pending the question, Shall the bill be amended as recommended by the Committee on Energy and Digital Infrastructure, as amended?, **Rep. Morgan, M. of Milton** demanded the Yeas and Nays, which demand was sustained by the Constitutional number. The Clerk proceeded to call the roll and the question, Shall the bill be amended as recommended by the Committee on Energy and Digital Infrastructure, as amended?, was decided in the affirmative. Yeas, 82. Nays, 56.

Those who voted in the affirmative are:

Arsenault of Williston	Durfee of Shaftsbury	Mihaly of Calais
Austin of Colchester	Emmons of Springfield	Minier of South Burlington
Bartholomew of Hartland	Garofano of Essex	Morrow of Weston
Berbeco of Winooski	Goldman of Rockingham	Mrowicki of Putney *
Birong of Vergennes	Goodnow of Brattleboro	Nugent of South Burlington
Bishop of Colchester	Graning of Jericho	O'Brien of Tunbridge
Black of Essex	Greer of Bennington *	Ode of Burlington
Bluemle of Burlington	Harple of Glover	Olson of Starksboro
Bos-Lun of Westminster	Headrick of Burlington	Pezzo of Colchester
Brady of Williston	Holcombe of Norwich	Pouech of Hinesburg
Brown of Richmond	Hooper of Randolph	Priestley of Bradford
Burke of Brattleboro	Houghton of Essex Junction	Rachelson of Burlington
Burkhardt of South Burlington	Howard of Rutland City	Satcowitz of Randolph
Burrows of West Windsor	Hoyt of Hartford	Scheu of Middlebury
Campbell of St. Johnsbury	Hunter of Manchester	Sheldon of Middlebury
Carris Duncan of Whitingham	James of Manchester *	Sibilia of Dover
Casey of Montpelier	Kimbell of Woodstock	Squirrell of Underhill
Chapin of East Montpelier	Kleppner of Burlington *	Stevens of Waterbury
Charlton of Chester	Kornheiser of Brattleboro	Stone of Burlington
Cina of Burlington	Krasnow of South Burlington	Sweeney of Shelburne
Cole of Hartford	Lalley of Shelburne	Tomlinson of Winooski
Conlon of Cornwall	LaLonde of South Burlington	Torre of Moretown
		Waszazak of Barre City
		Waters Evans of Charlotte

Cooper of Pownal *	LaMont of Morristown	White of Waitsfield
Corcoran of Bennington	Long of Newfane	White of Bethel
Critchlow of Colchester	Lueders of Lincoln	Wood of Waterbury *
Dolan of Essex Junction	Masland of Thetford	Yacovone of Morristown *
Duke of Burlington	McGill of Bridport	

Those who voted in the negative are:

Bosch of Clarendon	Gregoire of Fairfield	Morrissey of Bennington
Boutin of Barre City	Hango of Berkshire	Nelson of Derby
Boyden of Cambridge	Harvey of Castleton	Nigro of Bennington
Branagan of Georgia	Higley of Lowell	North of Ferrisburgh
Brigham of St. Albans Town	Howland of Rutland Town	Noyes of Wolcott
Burditt of West Rutland	Kascenska of Burke	Oliver of Sheldon
Burt of Cabot	Keyser of Rutland City	Page of Newport City
Canfield of Fair Haven	Labor of Morgan	Pinsonault of Dorset
Casey of Hubbardton	Laroche of Franklin	Powers of Waterford
Coffin of Cavendish	Lipsky of Stowe	Pritchard of Pawlet
Demar of Enosburgh	Luneau of St. Albans City	Quimby of Lyndon
Dickinson of St. Albans Town	Maguire of Rutland City	Southworth of Walden
Dobrovich of Williamstown	Malay of Pittsford	Steady of Milton *
Dolgin of St. Johnsbury	Marcotte of Coventry	Tagliavia of Corinth
Donahue of Northfield	McCoy of Poultney	Taylor of Milton
Feltus of Lyndon	McFaun of Barre Town	Taylor of Mendon
Galfetti of Barre Town *	Morgan, L. of Milton	Walker of Swanton
Goslant of Northfield	Morgan, M. of Milton	Wells of Brownington
	Morris of Springfield	Winter of Ludlow

Those members absent with leave of the House and not voting are:

Bailey of Hyde Park	Eastes of Guilford	Nielsen of Brandon
Bartley of Fairfax	Logan of Burlington	Parsons of Newbury
Christie of Hartford	McCann of Montpelier	
Dodge of Essex	Micklus of Milton	

Rep. Cooper of Pownal provided the following vote explanation:

“Madam Speaker:

We are fortunate to live in an era of plentiful information and responsible analysis. It is unwise to remain ignorant of that information and devoid of that responsible analysis.”

Rep. Galfetti of Barre Town provided the following vote explanation:

“Madam Speaker:

This bill sets the groundwork to passing blame and taxation to vulnerable Vermonters to have little to no impact on climate change but many impacts on gentrification and elitification of the State of Vermont.”

Rep. Greer of Bennington provided the following vote explanation:

“Madam Speaker:

H.740 may be a data collection bill, but if these steps are used to implement a plan that will make me, a young Vermonter, and my neighbors of all ages and socioeconomic backgrounds pay more for heating fuel – I will gladly raise the point that this went against legislative intent because that is not affordability. Those of us that use heating fuel for our homes appreciate our suppliers, and we refuse to lose that choice – especially at an extraordinary economic cost.”

Rep. James of Manchester provided the following vote explanation:

“Madam Speaker:

It’s a sad fact that we will answer to our children, our grandchildren, and to future generations for our failure to act decisively on climate. That reckoning will not happen someday. It is already happening today. Better data leads to better policy, and better policy helps Vermonters save money on energy, now and down the road.”

Rep. Kleppner of Burlington provided the following vote explanation:

“Madam Speaker:

Vermont represents 15/1000 of 1% of global emissions, and while the 15/1000 of 1% is our responsibility, we have a higher responsibility to protect Vermonters’ health and Vermonters’ pocketbooks. Every time a kid gets off a school bus, they get a lungful of diesel exhaust and its CO, NOx, and carcinogens like benzene, formaldehyde, and arsenic. Every time our oil furnaces kick on, we are spreading CO, sulfur dioxide, and carcinogenic fine particulate matter. Gas is at \$3.89/gallon – this is not affordable. Heating oil is at \$5.41/gallon – this is not affordable. Diesel is at \$5.71/gallon – this is not affordable. This bill aims to give us the data so we can effectively address these threats to Vermonters’ health and their budgets.”

Rep. Mrowicki of Putney provided the following vote explanation:

“Madam Speaker:

My vote to support this bill is a vote for the future. For a cleaner future, for the legacy of leaving our children and grandchildren a cleaner future. And my yes vote is for a more affordable today. We see the roller coaster of the price of dinosaur fuels, while my experience is installing a heat pump saves me 40% off my heating bill and driving an EV saves me 50% on transportation. I vote yes for an affordable today and a cleaner future. A real win-win.”

Rep. Steady of Milton provided the following vote explanation:

“Madam Speaker:

I ran for this seat for affordability. I have to believe the majority of my fellow Vermonters wouldn’t want me to spend \$500,000 of their hard-earned property taxpayer dollars for a report when they struggle to put food on their tables.”

Rep. Wood of Waterbury provided the following vote explanation:

“Madam Speaker:

We are continually striving to make decisions based on good data. That’s all this bill does, and it’s why I vote yes.”

Rep. Yacovone of Morristown provided the following vote explanation:

“Madam Speaker:

That dog won't hunt. That dog won't hunt. I am fond of my former boss, the Secretary of Human Services, who would frequently invoke that. I was amused during the debate today because I thought that old dog, the Clean Heat Standard, won't hunt. There are many who like to get folks angry, distract them, play fear, but that's not what we need for an answer. That dog won't hunt.”

Thereupon, third reading was ordered.

Second Reading; Bill Amended; Third Reading Ordered

H. 778

Rep. Chapin of East Montpelier, for the Committee on Environment, to which had been referred House bill, entitled

An act relating to dam safety

Reported in favor of its passage when amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 20 V.S.A. § 10 is amended to read:

§ 10. REQUEST TO GOVERNOR BY MUNICIPAL AUTHORITIES

The all-hazards event provisions of this chapter shall not be brought into action unless the municipal director of emergency management, a member of the legislative body of the municipality, the city or town manager, or the mayor of a city that is within the area affected by an all-hazards event shall declare an emergency and request the Governor to find that a state of emergency exists and the Governor so finds, or unless the Governor declares a state of emergency under section 9 of this title. This section shall not be

construed to prevent the Governor or the Director of Emergency Management without municipal approval from requiring the evacuation of an area subject to inundation from a dam failure when there is a dam failure or an imminent risk of failure.

Sec. 2. STATE OF VERMONT EMERGENCY OPERATIONS PLANNING
PILOT PROJECT; REPORT

(a)(1) The Division of Emergency Management, in coordination with the Department of Environmental Conservation, shall conduct a pilot project under which the Division shall develop a set of emergency operations plans (EOPs) for two State-owned dams that have been classified as high-hazard potential. One of the dams shall have a population at risk of 1,000 or more persons and the other shall have a population at risk of 100 or more but fewer than 1,000 persons.

(2) The set of EOPs for each dam shall include an EOP for each municipality in the inundation zone of the dam.

(b)(1) In preparing the EOPs required under subsection (a) of this section and in order to ensure the sufficiency of the EOPs to protect public lives and property, the Division shall coordinate with and collect input from those entities traditionally involved in regional and municipal emergency management, including municipal officials; emergency responders; regional planning commissions; State and regional search and rescue partners, including swiftwater rescue providers; and other relevant interested parties located in the regional area that would be inundated if the dam were to fail. The Division also shall coordinate with any owner or operator of a hydroelectric generation facility located at a State-owned dam.

(2) The Division of Emergency Management may hire a contractor, including a regional planning commission, to complete the requirements of this section, including one or both of the EOPs required under subsection (a) of this section.

(c) Each EOP required to be completed under subsection (a) of this section shall:

(1) be coordinated with each dam's emergency action plan and shall utilize each dam's emergency action plan inundation maps;

(2) identify planned evacuations and evacuation routes based on possible inundation scenarios, including how to evacuate vulnerable populations such as medically vulnerable individuals who need access to electricity or specialized medical equipment;

(3) identify where individuals shall evacuate to, such as a shelter, higher ground, or reunification location;

(4) engage facilities that house vulnerable populations, such as schools, shelters for the unhoused, and senior living communities, in the plan development;

(5) plan for the use of mutual aid and State resources, and coordinate such use between municipalities downstream of the dam;

(6) address how to implement the use of pre-event communication and early warning systems to alert persons in the inundation areas, including the use of the VT-Alert system; and

(7) include any additional provisions deemed useful by the Division in developing the EOP or for inclusion in the EOP.

(d) On or before July 1, 2028, the Division of Emergency Management shall submit to the House Committee on Environment and the Senate Committee on Natural Resources and Energy the results of the pilot project required under subsection (a) of this section, including:

(1) copies of the EOPs for the two dams;

(2) a summary of the process of developing the EOPs, including whether the Division completed the EOPs with Division staff, contracted with regional planning commissions, or hired other contractors to complete the EOPs;

(3) a summary of how the Division or the Division contractor coordinated with municipal officials; State and regional search and rescue entities, including swiftwater rescue partners; owners or operators of hydroelectric facilities at a dam; and emergency responders representing municipalities in the area of potential inundation from each dam;

(4) the cost of the EOPs completed under the pilot project;

(5) a summary of early warning and communications systems municipalities may use to communicate recommendations or requests for evacuation, including the best use of the State's VT-Alert System; and

(6) a scope, timeline, and budget for the Division to develop an EOP template or templates and a training on EOP development for municipalities.

(e) As part of the report required under subsection (d) of this section, the Division of Emergency Management shall, based on the results of the pilot project EOPs:

(1) recommend how EOPs should be completed for all State or federal dams in Vermont that are high-hazard potential dams and that have a population at risk of 100 or more persons, including:

(A) whether and how to prioritize completion of the EOPs for all high-hazard dams with a population at risk of 100 or more persons;

(B) whether the Division of Emergency Management can complete or contract for completion of the EOPs for all State or federal dams with a population at risk of 100 or more persons by 2035;

(C) whether the Division of Emergency Management can complete an EOP for a federal dam or whether the Division may only assist those local entities authorized to complete an EOP under federal law; and

(D) what it would cost for the Division of Emergency Management to complete the EOPs for dams with a population at risk of 100 or more persons or what it would cost for the Division to contract with a qualified consultant to complete the EOPs;

(2) recommend how EOPs should be completed for high-hazard dams with a population at risk of fewer than 100 persons;

(3) recommend potential funding sources that the Division or individual municipalities could access to complete or contract for the completion of EOPs;

(4) recommend how to best educate municipalities, regional planning commissions, and emergency service providers about the need for and importance of EOPs for dams;

(5) recommend whether and how an EOP should identify structures that persons would reasonably be expected to occupy and how to geotag these structures for purposes of inclusion in the VT-Alert system; and

(6) recommend how often the Division, regional planning commissions, or municipalities should conduct practice emergency response for the EOPs required under subsection (a) of this section and ultimately for all EOPs prepared for dams in the State.

Sec. 3. APPROPRIATIONS

(a) In addition to other funds appropriated to the Department of Public Safety for the Division of Emergency Management in fiscal year 2027, \$250,000.00 is appropriated from the General Fund to the Department for

completion by the Division of Emergency Management of the emergency operations plan pilot project required under Sec. 2 of this act.

(b) In addition to other funds appropriated to the Department of Environmental Conservation in fiscal year 2027, \$125,000.00 is appropriated from the General Fund to the Department of Environmental Conservation for the Department's assistance in completing the emergency operations plan pilot project required under Sec. 2 of this act.

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

Rep. Squirrel of Underhill, for the Committee on Appropriations, recommended that the bill ought to pass when amended as recommended by the Committee on Environment.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, the report of the Committee on Environment agreed to, and third reading ordered.

Message from the Governor

A message was received from His Excellency, the Governor, by Ms. Jaye Pershing Johnson, Secretary of Civil and Military Affairs, as follows:

Madam Speaker:

I am directed by the Governor to inform the House of Representatives that on the 24th day of March, 2026, he signed bills originating in the House of the following titles:

H. 545 An act relating to issuing immunization recommendations

H. 649 An act relating to captive insurance companies

Committee Bill; Favorable Reports; Second Reading; Third Reading Ordered

H. 915

Rep. Morris of Springfield spoke for the Committee on Environment.

House bill, entitled

An act relating to establishing an extended producer responsibility program for beverage containers

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

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommended that the bill ought to pass.

The bill, having appeared on the Notice Calendar, was taken up, read the second time, and third reading ordered.

**Committee Bill; Favorable Reports; Second Reading; Bill Amended;
Third Reading Ordered**

H. 937

Rep. Rachelson of Burlington spoke for the Committee on Judiciary.

House bill, entitled

An act relating to miscellaneous judiciary procedures

Rep. Ode of Burlington, for the Committee on Ways and Means, recommended that the bill ought to pass.

Rep. Squirrell of Underhill, for the Committee on Appropriations, recommended that the bill ought to pass.

The bill, having appeared on the Notice Calendar, was taken up and read the second time.

Pending the question, Shall the bill be read a third time?, **Rep. LaLonde of South Burlington** moved to amend the bill in Sec. 31, effective dates, by striking out "July 1, 2026" and inserting in lieu thereof "July 1, 2027"

Which was agreed to. Thereupon, third reading was ordered.

Adjournment

At five o'clock and thirteen minutes in the evening, on motion of **Rep. McCoy of Poultney**, the House adjourned until tomorrow at one o'clock in the afternoon.