

Legislative Update – 1/22/2016

This is a summary of ATOD related legislation introduced during the 2015 – 2016 biennium. Bills not passed in the 2015 session remain active for the 2016 session. To see any given bill, click on the link.

NOTE: Bill Number in **RED** indicates passed by both houses and sent to Governor for signing into law.

Jump to: [House Bills 2015](#)
[House Bills 2016](#)
[Senate Bills 2015](#)
[Senate Bills 2016](#)

NEW OR CHANGED THIS WEEK:

(Nothing new or changed)

HOUSE BILLS INTRODUCED IN 2015:

H.20 An act relating to licensed alcohol and drug abuse counselors as participating providers in Medicaid <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0020/H-0020%20As%20Introduced.pdf> This bill proposes to allow licensed alcohol and drug abuse counselors who are in private practice to participate in Medicaid. Introduced by Representatives Dickinson of St. Albans Town and Huntley of Cavendish. **PASSED THE HOUSE; IN SENATE HEALTH & WELFARE 3/20/15.** See <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0020/H-0020%20As%20Passed%20by%20the%20House%20Official.pdf> for House passed version. Favorable report with proposal of amendment by Committee on Health & Welfare. **Referred to Senate Appropriations** See <http://legislature.vermont.gov/assets/Documents/2016/Docs/CALENDAR/sc150516.pdf#page=2> for proposed amendment. **Reported favorably by Senate Appropriations. PASSED HOUSE AND SENATE – see <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0020/H-0020%20As%20Passed%20by%20Both%20House%20and%20Senate%20Official.pdf> for final version.**

H. 31 An act relating to establishing the crime of public intoxication

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0031/H-0031%20As%20Introduced.pdf> This bill proposes to prohibit a person from being intoxicated in a public place if as a result of the intoxication the person is: (1) unable to exercise care for his or her own safety or the safety of others; or (2) interferes with, obstructs, or prevents the use of a street, sidewalk, or other public way. Introduced by Representatives Emmons of Springfield, Dakin of Chester, and Forguites of Springfield. **IN JUDICIARY**

H. 45 An act relating to Vermont Prescription Monitoring System reporting

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0045/H-0045%20As%20Introduced.pdf> This bill proposes to require opioid treatment programs authorized by the Department of Health to report to the Vermont Prescription Monitoring System when methadone or medication containing buprenorphine is first dispensed to a patient or when the patient's prescription is altered. Introduced by Representative Till of Jericho. **IN HUMAN SERVICES**

H. 59 An act relating to banning the sale of flavored liquid nicotine

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0059/H-0059%20As%20Introduced.pdf>

This bill proposes to ban the sale of 8 liquid nicotine in a flavor other than menthol in Vermont. Introduced by Representatives Komline of Dorset, Clarkson of Woodstock, Krowinski of Burlington, Poirier of Barre City, and Till of Jericho. **IN HUMAN SERVICES**

H. 70 An act relating to casino gaming

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0070/H-0070%20As%20Introduced.pdf>

This bill proposes to require the Vermont Lottery Commission to issue a license for the operation of one casino in Vermont. Introduced by Representatives Hubert of Milton, Batchelor of Derby, Brennan of Colchester, Burditt of West Rutland, Canfield of Fair Haven, Condon of Colchester, Cupoli of Rutland City, Devereux of Mount Holly, Fagan of Rutland City, Graham of Williamstown, Hebert of Vernon, Juskiewicz of Cambridge, Morrissey of Bennington, Myers of Essex, Quimby of Concord, Savage of Swanton, Terenzini of Rutland Town, and Wright of Burlington. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 74 An act relating to safety protocols for social and mental health workers

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0074/H-0074%20As%20Introduced.pdf>

This bill proposes to require departments and programs within or under contract with the Agency of Human Services to create safety protocols for social workers, mental health workers, volunteers, interns, and all other employees providing direct services to clients. Introduced by Representatives Pugh of South Burlington, French of Randolph, McFaun of Barre Town, and Mrowicki of Putney. **IN HUMAN SERVICES**

H. 101 An act relating to mental health insurance benefits

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0101/H-0101%20As%20Introduced.pdf>

This bill proposes to prohibit management of mental health insurance benefits separately from other health care benefits. It also prohibits prior authorization requirements for mental health care that differ from medical or surgical prior authorization requirements. Introduced by Representatives Donahue of Northfield, Gage of Rutland City, Poirier of Barre City, and Woodward of Johnson. **IN HEALTH CARE**

H. 139 An act relating to therapeutic use of marijuana for relieving symptoms of post-traumatic stress disorder

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0139/H-0139%20As%20Introduced.pdf>

This bill proposes to allow people who suffer from post-traumatic stress disorder to use marijuana for therapeutic purposes to relieve symptoms of the disorder. Introduced by Representatives Masland of Thetford, Berry of Manchester, Carr of Brandon, Christie of Hartford, Evans of Essex, McCullough of Williston, Olsen of Londonderry, Russell of Rutland City, Till of Jericho, Townsend of South Burlington, Troiano of Stannard, Yantachka of Charlotte, and Zagar of Barnard. **IN HUMAN SERVICES**

H. 148 An act relating to operating a motor vehicle while under the influence of alcohol with a child in the vehicle

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0148/H-0148%20As%20Introduced.pdf>

This bill proposes to create more serious penalties for operating a vehicle while under the influence of alcohol if there is a child in the operator's vehicle at the time of the offense. Introduced by Representative Clarkson of Woodstock. **IN JUDICIARY**

H. 151 An act relating to various amendments and additions to the heroin possession and sale statutes

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0151/H-0151%20As%20Introduced.pdf>

This bill proposes to increase criminal penalties for possession of less than 200 mg of heroin; increase criminal penalties for people with more than one conviction of heroin possession; create a new crime for possession with intent to sell less than 3.5 grams of heroin; and

create a new crime making it unlawful to knowingly be in a place where heroin is kept or in the company of a person possessing heroin. Introduced by Representative Sweaney of Windsor (By Request). **IN JUDICIARY**

H. 170 An act relating to a study of a noncriminal, public health approach to illicit drug use

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0170/H-0170%20As%20Introduced.pdf> This bill purposes to direct the Office of Legislative Council to examine the issue of a noncriminal, public health approach to low-level possession and use of illicit drugs in Vermont and to report its findings to the General Assembly on or before January 15, 2016. Introduced by Representatives Pearson of Burlington, Burditt of West Rutland, and French of Randolph. **IN HUMAN SERVICES**

H. 171 An act relating to restrictions on the use of electronic cigarettes

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0171/H-0171%20As%20Introduced.pdf> This bill proposes to prohibit the use of electronic cigarettes in the same places in which the use of lighted tobacco products is banned. It would also prohibit cigarette and electronic cigarette displays on store counters. Introduced by Representatives Frank of Underhill, Batchelor of Derby, Burditt of West Rutland, French of Randolph, Klein of East Montpelier, Komline of Dorset, Krowinski of Burlington, Macaig of Williston, McCullough of Williston, McFaun of Barre Town, Mrowicki of Putney, and Till of Jericho. **IN HUMAN SERVICES**

H. 185 An act relating to restricted disclosure of protected health information

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0185/H-0185%20As%20Introduced.pdf> This bill proposes to require health care providers to notify patients of the patient's right to restrict the disclosure of protected health information in certain circumstances. Introduced by Representatives Morrissey of Bennington, Bancroft of Westford, Baser of Bristol, Batchelor of Derby, Beck of St. Johnsbury, Beyor of Highgate, Branagan of Georgia, Brennan of Colchester, Browning of Arlington, Burditt of West Rutland, Canfield of Fair Haven, Corcoran of Bennington, Cupoli of Rutland City, Dame of Essex, Devereux of Mount Holly, Dickinson of St. Albans Town, Donahue of Northfield, Eastman of Orwell, Fagan of Rutland City, Fiske of Enosburgh, Gage of Rutland City, Gamache of Swanton, Graham of Williamstown, Hebert of Vernon, Helm of Fair Haven, Higley of Lowell, Hubert of Milton, Juskiewicz of Cambridge, LaClair of Barre Town, Lawrence of Lyndon, Lefebvre of Newark, Lewis of Berlin, Martel of Waterford, McFaun of Barre Town, Myers of Essex, Pearce of Richford, Purvis of Colchester, Quimby of Concord, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Smith of New Haven, Strong of Albany, Tate of Mendon, Terenzini of Rutland Town, Van Wyck of Ferrisburgh, Viens of Newport City, and Willhoit of St. Johnsbury. **IN HEALTH CARE**

H. 201 An act relating to farm brewers' licenses

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0201/H-0201%20As%20Introduced.pdf> This bill proposes to create a farm brewer's license to permit the manufacture and sale of Vermont beer and cider. Introduced by Representatives Botzow of Pownal, Baser of Bristol, Bissonnette of Winooski, Carr of Brandon, Hooper of Montpelier, Johnson of South Hero, Kitzmiller of Montpelier, Krowinski of Burlington, Lenes of Shelburne, Marcotte of Coventry, Martin of Wolcott, O'Sullivan of Burlington, Parent of St. Albans City, Sibilia of Dover, Stuart of Brattleboro, Sullivan of Burlington, Troiano of Stannard, and Walz of Barre City. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 219 An act relating to the sale of fortified wine

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0219/H-0219%20As%20Introduced.pdf> This bill proposes to define fortified wine and permit the holder of a second-class license to sell fortified wine to the public. Introduced by Representatives Grad of Moretown, Clarkson of Woodstock, Kitzmiller of Montpelier, Scheuermann of Stowe, Carr of Brandon, Conquest of Newbury, Deen of Westminster, Greshin of Warren, Hooper of Montpelier, Jewett of Ripton, Juskiewicz of Cambridge, Komline of Dorset, Lenes of Shelburne, Nuovo of Middlebury, Partridge of Windham, Sheldon of Middlebury, and Viens of Newport City. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 228 An act relating to adding saliva testing to the DUI statutes

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0228/H-0228%20As%20Introduced.pdf> This bill proposes to add saliva testing to the tests that may be conducted on operators of motor vehicles reasonably suspected to be under the influence. Introduced by Representatives Potter of Clarendon, Bissonnette of Winooski, Brennan of Colchester, Burditt of West Rutland, Canfield of Fair Haven, Eastman of Orwell, Helm of Fair Haven, Pearce of Richford, Quimby of Concord, Russell of Rutland City, Savage of Swanton, Shaw of Pittsford, and Tate of Mendon. **IN TRANSPORTATION**

H. 233 An act relating to the taxation of e-cigarettes

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0233/H-0233%20As%20Introduced.pdf> This bill proposes to tax e-cigarettes as Vermont taxes other tobacco products. Introduced by Representatives Clarkson of Woodstock, Till of Jericho, Branagan of Georgia, Burke of Brattleboro, Evans of Essex, Krowinski of Burlington, Long of Newfane, and Masland of Thetford. **IN WAYS AND MEANS**

H. 244 An act relating to repealing the State Lottery

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0244/H-0244%20As%20Introduced.pdf> This bill proposes to repeal the State Lottery. Introduced by Representative Stevens of Waterbury. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 245 An act relating to expanding the list of qualifying medical conditions for the medical marijuana registry and conditions for renewal of patient registry cards

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0245/H-0245%20As%20Introduced.pdf> This bill proposes to add Crohn's disease, colitis, glaucoma, and amyotrophic lateral sclerosis to the conditions that qualify for the therapeutic use of cannabis and to waive the requirement for patients with chronic, debilitating, lifelong medical conditions to submit a medical verification form upon application for the renewal of a registration card. Introduced by Representatives Zagar of Barnard and Masland of Thetford. **IN HUMAN SERVICES**

H. 251 An act relating to lottery ticket sales

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0251/H-0251%20As%20Introduced.pdf> This bill proposes to prohibit the selling of lottery tickets at bars and restaurants. Introduced by Representative Stevens of Waterbury. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 252 An act relating to establishing the Agency of Controlled Substances

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0252/H-0252%20As%20Introduced.pdf> This bill proposes to establish the Agency of Controlled Substances to administer and enforce the laws relating to alcohol, tobacco, therapeutic cannabis, the State Lottery, games of chance, horse racing, motor racing, and boxing. Introduced by Representatives

Stevens of Waterbury, Gonzalez of Winooski, Huntley of Cavendish, Sweaney of Windsor, and Walz of Barre City. **IN GOVERNMENT OPERATIONS**

H. 253 An act relating to adding post-traumatic stress disorder to the list of qualified medical conditions for therapeutic use of cannabis and waiving the six-month professional–patient relationship requirement for veterans with post-traumatic stress disorder

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0253/H-0253%20As%20Introduced.pdf> This bill proposes to add post-traumatic stress disorder to the list of qualified medical conditions for therapeutic use of cannabis and also to waive the six-month professional–patient relationship requirement for veterans diagnosed with post-traumatic stress disorder provided the patient provides a documented diagnosis from the U.S. Department of Veterans' Affairs. Introduced by Representatives Till of Jericho and Masland of Thetford. **IN HUMAN SERVICES**

H. 265 An act relating to raising the cigarette and tobacco products tax rates

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0265/H-0265%20As%20Introduced.pdf> This bill proposes to raise the cigarette tax rate by \$1.25 a pack, and to raise the tobacco products tax rates by a corresponding amount. Introduced by Representatives Till of Jericho, Bartholomew of Hartland, Branagan of Georgia, Clarkson of Woodstock, Dakin of Chester, Donovan of Burlington, Ellis of Waterbury, Evans of Essex, Frank of Underhill, French of Randolph, Head of South Burlington, Jewett of Ripton, Lenes of Shelburne, Macaig of Williston, McCormack of Burlington, Stevens of Waterbury, Sullivan of Burlington, Toleno of Brattleboro, Woodward of Johnson, and Yantachka of Charlotte. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 277 An act relating to regulation and taxation of marijuana

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0277/H-0277%20As%20Introduced.pdf> This bill proposes to:

1. Permit a person who is 21 years of age or older to possess limited amounts of marijuana for personal use, while retaining civil and criminal penalties for possession above the limits and for unauthorized dispensing or sale of marijuana.
2. Provide civil penalties for a person who is under 21 years of age who possesses marijuana or attempts to procure marijuana from a registered marijuana establishment.
3. Establish a Marijuana Control Board within the Department of Public Safety. The Board would be responsible for rulemaking and administering registrations for marijuana establishments.
4. Create a regulatory structure for the cultivation, production, testing, and sale of marijuana that includes oversight by the Marijuana Control Board and the Department of Public Safety.
5. Permit a nonprofit dispensary or a benefit corporation to register with the Marijuana Control Board as a Marijuana Cultivator, Marijuana Product Manufacturer, Marijuana Testing Laboratory, Marijuana Retailer, or Marijuana Lounge.
6. Permit municipalities to prohibit or regulate marijuana establishments.
7. Retain criminal penalties for operating a motor vehicle under the influence of a drug.
8. Prohibit smoking marijuana in a public place.

9. Establish an excise tax of \$40.00 per ounce on marijuana flowers, \$15.00 per ounce on any other marijuana, and \$25.00 on each immature marijuana plant sold by a cultivator.

10. Distribute funds generated by marijuana taxes to initiatives focusing on public education about the safety risks of alcohol, tobacco, and marijuana, evidence-based criminal justice programs and substance abuse treatment services, law enforcement, municipalities that have marijuana establishments in their jurisdictions, the Youth Substance Abuse Safety Program, and academic and medical research on marijuana.

Introduced by Representatives Pearson of Burlington, Clarkson of Woodstock, Davis of Washington, Deen of Westminster, Donovan of Burlington, O'Sullivan of Burlington, Stevens of Waterbury, Toleno of Brattleboro, Troiano of Stannard, and Young of Glover. **IN JUDICIARY**

H. 293 An act relating to compliance testing of tobacco licensees

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0293/H-0293%20As%20Introduced.pdf> This bill proposes to clarify the law regarding compliance testing of tobacco licensees by the Department of Liquor Control. Introduced by Representatives Poirier of Barre City, Christie of Hartford, Donovan of Burlington, Kitzmiller of Montpelier, Lenes of Shelburne, Macaig of Williston, Masland of Thetford, McCullough of Williston, McFaun of Barre Town, Till of Jericho, Toleno of Brattleboro, and Yantachka of Charlotte. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 305 An act relating to permitting alcoholic beverages to be served at community events

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0305/H-0305%20As%20Introduced.pdf> This bill proposes to authorize the Department of Liquor Control to issue a limited permit for the sale of beer and wine at community events lasting no more than six hours. Introduced by Representatives Emmons of Springfield, Dakin of Chester, and Forguites of Springfield. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 344 An act relating to the Needle Education, Exchange, and Disposal Task Force

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0344/H-0344%20As%20Introduced.pdf> This bill proposes to establish a task force to provide recommendations for designing and implementing a statewide needle education, exchange, and disposal program. Introduced by Representative Krowinski of Burlington. **IN HUMAN SERVICES**

H. 387 An act relating to dispensing ibogaine for substance abuse treatment

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0387/H-0387%20As%20Introduced.pdf> This bill proposes to establish an ibogaine dispensing pilot program for the treatment of persons with substance abuse disorder. Introduced by Representatives Dame of Essex and Troiano of Stannard. **IN HUMAN SERVICES**

H. 404 An act relating to serving wine and beer during special events at a retail store

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0404/H-0404%20As%20Introduced.pdf> This bill proposes to allow retail stores to obtain a permit from the Department of Liquor Control that will allow them to serve beer and wine during permitted events at the store. Introduced by Representatives Christie of Hartford, Zagar of Barnard, Bissonnette of Winooski, Burditt of West Rutland, Buxton of Tunbridge, Clarkson of Woodstock, Connor of Fairfield, Conquest of Newbury, Dakin of Chester, Eastman of Orwell, Fields of Bennington, Gage of Rutland City, Krowinski of Burlington, Martin of Wolcott, McCormack of Burlington, Morris of Bennington, Parent of St. Albans City, Sibia of Dover, Sweaney of Windsor, Tate of Mendon, Till of Jericho, Troiano of Stannard, and Young of Glover. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 416 An act relating to smoking outside places of public access

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0416/H-0416%20As%20Introduced.pdf> This bill proposes to prohibit smoking within 25 feet of the entrance or exit of a place of public access. Introduced by Representative McCormack of Burlington. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 429 An act relating to prevention of driving under the influence

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0429/H-0429%20As%20Introduced.pdf> This bill proposes to task the Department of Public Safety and the Department of Health with recommending to the General Assembly a standard of marijuana-induced impairment; and to task the Department of Health, the Agency of Education, and the Department of Public Safety with recommending enhanced driving under the influence prevention programming to the General Assembly. Introduced by Representatives Browning of Arlington and Strong of Albany. **IN JUDICIARY**

H. 451 An act relating to nano breweries

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0451/H-0451%20As%20Introduced.pdf> This bill proposes to create a separate license for nano brewers of beer, to permit manufacturers of beer to ship their products directly to retailers, and to increase the maximum annual amount of beer or wine that a manufacturer with a retail shipping license may sell directly to retailers and restaurants. Introduced by Representatives Buxton of Tunbridge and Zagar of Barnard. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 453 An act relating to permitting registered marijuana testing facilities

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0453/H-0453%20As%20Introduced.pdf> This bill proposes to permit the registration of independent marijuana testing facilities. Introduced by Representative Young of Glover. **IN HUMAN SERVICES**

H. 457 An act relating to increasing the penalties for dispensing and trafficking heroin and methamphetamine

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0457/H-0457%20As%20Introduced.pdf> This bill proposes to increase the penalties for dispensing and trafficking of heroin and methamphetamine. Introduced by Representative Tate of Mendon. **IN HUMAN SERVICES**

H. 468 An act relating to making records of first offense DUI convictions eligible for expungement

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0468/H-0468%20As%20Introduced.pdf> This bill proposes to include first offense DUI as a qualifying offense for which a person may petition for expungement. Introduced by Representative Davis of Washington. **IN JUDICIARY**

H. 491 An act relating to video slot machines in service members' clubs

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0491/H-0491%20As%20Introduced.pdf> This bill proposes to permit nonprofit veterans' and service members' clubs or fraternal organizations to operate on the premises of the club one video slot machine for every 30 members of the club. This bill would permit a club to retain a percentage of the revenue from each video slot machine it operates and require that the remaining revenues be remitted to the State Lottery Commission to be transferred to the Education Fund. Introduced by Representative Quimby of Concord (By Request) **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 502 An act relating to prohibition of alcoholic beverages

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0502/H-0502%20As%20Introduced.pdf>

This bill proposes to recognize recent scientific studies that demonstrate that alcohol use is significantly more dangerous than marijuana use and to prohibit the possession, cultivation, distribution, and sale of alcoholic beverages. Alcohol used for medicinal, chemical, or industrial purposes will not be subject to the ban. Civil and criminal penalties for violations will track the current penalties provided under State law for cannabis. A person 21 years of age or older who possesses a small amount of alcohol may be ticketed for a civil violation and subject to a monetary penalty of up to \$500.00. Possession of larger quantities of alcohol, as well as cultivation, distribution, and sale of alcohol will be subject to criminal penalties ranging from one day to 30 years' imprisonment and fines ranging from \$1.00 to \$1,000,000.00. Introduced by Representatives Pearson of Burlington and O'Sullivan of Burlington. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

H. 509 An act relating to prohibiting smoking outside apartment buildings

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0509/H-0509%20As%20Introduced.pdf>

This bill proposes to prohibit smoking in any area within 25 feet of a condominium or apartment building. Introduced by Representative Russell of Rutland City **IN HUMAN SERVICES**

Jump to: [House Bills 2015](#)
[House Bills 2016](#)
[Senate Bills 2015](#)
[Senate Bills 2016](#)

HOUSE BILLS INTRODUCED IN 2016:

H. 526 An act relating to the Commissioner of Liquor Control and the Liquor Control Board

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0526/H-0526%20As%20Introduced.pdf>

This bill proposes to limit Liquor Control Board members to no more than two consecutive five-year terms; to provide for the appointment of the Commissioner of Liquor Control by the Governor from a pool of candidates proposed by the Liquor Control Board; and to direct Legislative Council, in consultation with the Board, Department, and Attorney General, to prepare a draft bill that would reorganize and clarify the statutory provisions of Title 7. Introduced by Representatives Stevens of Waterbury and Ancel of Calais. **IN GENERAL, HOUSING AND MILITARY AFFAIRS.**

H. 560 An act relating to traffic safety

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0560/H-0560%20As%20Introduced.pdf>

This bill proposes to:

- (1) expand Vermont's DUI implied consent law in cases of a crash resulting in a fatality or serious bodily injury (SBI);
- (2) require operation under an ignition interlock restricted driver's license prior to eligibility for reinstatement of an operator's license or driving privilege following a DUI offense, make various amendments to the law governing civil DUI suspensions, and authorize the State to move for an order immobilizing the vehicle operated by a resident defendant during a DUI offense unless an ignition interlock device is installed;
- (3) amend the availability and the procedure for proving an innocent owner defense in a DUI-related immobilization or forfeiture proceeding;
- (4) limit the liability of liquor licensees or permittees and servers that make alcohol screening tests available to persons served alcohol;

- (5) create an enhanced penalty for negligent operation of a motor vehicle resulting in death or SBI;
- (6) amend various definitions that apply throughout Title 23 and add a new definition for “vehicle”;
- (7) amend motor vehicle laws to clarify the obligation of motorists to yield the right of way to bicyclists and other vulnerable users in various circumstances;
- (8) authorize bicyclists to proceed within crosswalks and pursuant to pedestrian control signals while riding on their bicycles;
- (9) amend Vermont’s law requiring safe passing of vulnerable users to specify distances to pass a vulnerable user safely, to specify that in a civil action an unexcused violation of the vulnerable user passing law is negligence in itself, and to create a criminal penalty for a violation resulting in death or injury to a person other than the operator;
- (10) specify that bicyclists generally must ride as near to the right side of the highway as is safe and elaborate on an exception to this general rule;
- (11) authorize bicyclists to lane split with motor vehicles moving in the same direction under specific circumstances; and
- (12) authorize municipalities to establish speed limits on town highways that are lower than 25 miles per hour.

Introduced by Representatives Jewett of Ripton, Burke of Brattleboro, Conquest of Newbury, Frank of Underhill, Grad of Moretown, LaLonde of South Burlington, Martel of Waterford, McCormack of Burlington, McCullough of Williston, Nuovo of Middlebury, and Rachelson of Burlington. **IN**

TRANSPORTATION

H. 571 An act relating to driver’s license suspensions, driving with a suspended license, and DUI penalties <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0571/H-0571%20As%20Introduced.pdf> This bill proposes to:

- (1) require the establishment of indigent waiver penalties for traffic violations and the imposition of the indigent waiver penalty in lieu of the 10 general waiver penalty for a defendant who applies and qualifies as indigent;
- (2) prescribe the criteria to qualify as indigent;
- (3) require judgments for traffic violations to be reduced by one-half if the defendant applies for the reduction prior to initiation of contempt proceedings and qualifies as indigent;
- (4) reduce the duration of license suspensions for nonpayment of a judgment on a traffic violation;
- (5) repeal a provision requiring the Commissioner of Motor Vehicles to refuse to renew a motor vehicle registration for nonpayment of an amount due on a judgment for a traffic violation
- (6) eliminate reinstatement fees for license suspensions and other preconditions to reinstatement, and authorize an additional surcharge on all traffic violation judgments to be deposited into the Transportation Fund;
- (7) amend the law governing criminal penalties for driving with a suspended license or privilege to operate and authorize criminal penalties for a second or subsequent violation of driving without a license or permit;
- (8) increase authorized penalties for DUI violations; and
- (9) clarify who will qualify for expungement of past criminal convictions for driving with a suspended license for conduct that is no longer criminal under this act.

Introduced by Representative Grad of Moretown. **IN JUDICIARY**

H. 572 An act relating to the Commissioner of Liquor Control and liquor control investigators <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0572/H-0572%20As%20Introduced.pdf> This bill proposes to:

- (1) provide that the Commissioner of Liquor Control be appointed by the Governor with the advice and consent of the Senate;
- (2) eliminate the law enforcement authority of the Commissioner; and
- (3) transfer liquor control investigators from the Department of Liquor Control to the Department of Public Safety.

Introduced by Representatives Scheuermann of Stowe, Beck of St. Johnsbury, Brennan of Colchester, Connor of Fairfield, Conquest of Newbury, Cupoli of Rutland City, Eastman of Orwell, Greshin of Warren, Juskiewicz of Cambridge, Komline of Dorset, Olsen of Londonderry, Parent of St. Albans Town, Shaw of Pittsford, Sibilia of Dover, Tate of Mendon, Till of Jericho, Trieber of Rockingham, Woodward of Johnson, Young of Glover, and Zagar of Barnard. **IN GENERAL, HOUSING AND MILITARY AFFAIRS**

Jump to: [House Bills 2015](#)
[House Bills 2016](#)
[Senate Bills 2015](#)
[Senate Bills 2016](#)

SENATE BILLS INTRODUCED IN 2015:

S. 9 An act relating to improving Vermont's system for protecting children from abuse and neglect <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0009/S-0009%20As%20Introduced.pdf> This bill proposes to improve Vermont's system for protecting children from abuse and neglect by establishing a new crime of failure to protect a child; clarifying the jurisdiction of special investigative units and ensuring that these units investigate the most serious child abuse cases; allowing for postadoption contact agreements; amending definitions pertaining to child abuse and neglect; fostering better communication between all participants in the child protection system; ensuring that custody determinations are based on the best interests of a child; establishing a Joint Legislative Child Protection Oversight Committee, an Office of the Child Protection Advocate, and a working group to improve CHINS proceedings; and requiring the Department for Children and Families to improve its policies and procedures. Introduced by Senators Ayer, Sears, Cummings, Flory, Kitchel, and Mullin **PASSED THE SENATE AND SENT TO THE HOUSE . (See <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0009/S-0009%20As%20Passed%20by%20the%20Senate%20Official.pdf> for Senate passed version.)** **MOVED TO HOUSE HUMAN SERVICES ON 3/12/15. MOVED TO HOUSE JUDICIARY ON 4/15/15. AMENDED AS RECOMMENDED BY JUDICIARY COMMITTEE ON 4/30/15 AND THIRD READING ORDERED. See <http://legislature.vermont.gov/assets/Documents/2016/Docs/JOURNAL/hj150430> (p. 15) for bill as amended. PASSED HOUSE IN CONCURRENCE WITH PROPOSAL OF AMENDMENT – 5/1/15. IN SENATE House proposal of amendment not concurred in; Committee of Conference requested. Conference committees appointed by both House and Senate – 5/8/15. Proposed amendment by committee of conference agreed to – 5/16/15 See <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0009/S-0009%20As%20Passed%20by%20Both%20House%20and%20Senate%20Official.pdf> for final version.**

S. 11 An act relating to the time to return a keg of malt beverages <http://www.leg.state.vt.us/docs/2014/Bills/Intro/S-029.pdf> This bill proposes to extend the time for returning a keg of beer from 60 days to 180 days. Introduced by Senator Benning. **IN ECONOMIC DEVELOPMENT, HOUSING & GENERAL AFFAIRS.**

S. 14 An act relating to single dose, child-resistant packaging and labeling of marijuana-infused edible or potable products sold by a registered dispensary <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0014/S-0014%20As%20Introduced.pdf> This bill proposes to require that marijuana-infused edible or potable products be contained in single dose, child-resistant packaging and be labeled with the amount of tetrahydrocannabinol in each dose. The act also makes a technical amendment to the definition of registered caregiver to conform to 2014 amendments to the chapter. Introduced by Senators Sears

and White. **PASSED SENATE AND SENT TO HOUSE. IN HOUSE HUMAN SERVICES.** (See <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0014/S-0014%20As%20Passed%20by%20the%20Senate%20Official.pdf> for Senate passed version.)

S. 42 An act relating to the substance abuse system of care

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0042/S-0042%20As%20Introduced.pdf> This bill proposes to create a comprehensive system of care for the administration of substance abuse prevention, intervention, treatment, and recovery services.

Introduced by Senators Lyons and Ayer. **PASSED THE SENATE** See

<http://legislature.vermont.gov/assets/Documents/2016/Docs/JOURNAL/sj150326.pdf#page=10> for Senate passed version. **IN HOUSE HUMAN SERVICES.**

S. 59 An act relating to insurance coverage for abuse-deterrent formulations of certain medications

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0059/S-0059%20As%20Introduced.pdf> This bill proposes to require health insurance plans to cover abuse-deterrent formulations of pain relieving medications as preferred drugs on their prescription drug formularies. Introduced by Senator Mullin **IN HEALTH AND WELFARE**

S. 80 An act relating to the sale of fortified wine

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0080/S-0080%20As%20Introduced.pdf> This bill proposes to define fortified wine and permit the holder of a second-class license to sell fortified wine to the public. Introduced by Senators Collamore, Cummings, Doyle, Flory, Mullin, and Pollina. **ECONOMIC DEVELOPMENT, HOUSING & GENERAL AFFAIRS**

S. 95 An act relating to regulation and taxation of marijuana

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0095/S-0095%20As%20Introduced.pdf> This bill proposes to:

1. Permit a person who is 21 years of age or older to possess limited amounts of marijuana for personal use, while retaining civil and criminal penalties for possession above the limits and for unauthorized dispensing or sale of marijuana.
2. Provide civil penalties for a person who is under 21 years of age who possesses marijuana or attempts to procure marijuana from a registered marijuana establishment.
3. Establish a Marijuana Control Board within the Department of Public Safety. The Board would be responsible for rulemaking and administering registrations for marijuana establishments.
4. Create a regulatory structure for the cultivation, production, testing, and sale of marijuana that includes oversight by the Marijuana Control Board and the Department of Public Safety.
5. Permit a nonprofit dispensary or a benefit corporation to register with the Marijuana Control Board as a Marijuana Cultivator, Marijuana Product Manufacturer, Marijuana Testing Laboratory, Marijuana Retailer, or Marijuana Lounge.
6. Permit municipalities to prohibit or regulate marijuana establishments.
7. Retain criminal penalties for operating a motor vehicle under the influence of a drug.
8. Prohibit smoking marijuana in a public place.

9. Establish an excise tax of \$40.00 per ounce on marijuana flowers, \$15.00 per ounce on any other marijuana, and \$25.00 on each immature marijuana plant sold by a cultivator.

10. Distribute funds generated by marijuana taxes to initiatives focusing on public education about the safety risks of alcohol, tobacco, and marijuana, evidence-based criminal justice programs and substance abuse treatment services, law enforcement, municipalities that have marijuana establishments in their jurisdictions, the Youth Substance Abuse Safety Program, and academic and medical research on marijuana.

Introduced by Senator Zuckerman. **IN JUDICIARY**

S. 120 An act relating to suspicion-based substance abuse testing and treatment for recipients of public assistance <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0120/S-0120%20As%20Introduced.pdf> This bill proposes to require suspicion-based drug testing for recipients of public assistance and to offer substance abuse treatment for recipients whose test results are positive. Introduced by Senators McAllister and Rodgers. **IN HEALTH AND WELFARE.**

S. 137 An act relating to penalties for selling and dispensing marijuana <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0137/S-0137%20As%20Introduced.pdf> This bill proposes to clarify the circumstances under which a person commits a civil rather than a criminal offense for dispensing marijuana, and to raise the felony threshold for selling and dispensing marijuana and hashish. Introduced by Committee on Judiciary **IN JUDICIARY – ORDERED TO LIE ON MOTION OF SEN. SEARS - 3/26/15 SENT TO SENATE JUDICIARY ON 5/16/15.**

Jump to: [House Bills 2015](#)
[House Bills 2016](#)
[Senate Bills 2015](#)
[Senate Bills 2016](#)

SENATE BILLS INTRODUCED IN 2016:

S. 163 An act relating to the sale of malt beverages in growlers <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0163/S-0163%20As%20Introduced.pdf> This bill proposes to authorize first-, second-, and first- and third-class licensees to sell malt beverages in clean growlers for off-premises consumption. Introduced by Senator Benning. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

S. 164 An act relating to sales of malt beverages by manufacturers <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0164/S-0164%20As%20Introduced.pdf> This bill proposes to permit a 6 manufacturer of beer to operate a restaurant or a bar, which serves beer brewed 7 by the manufacturer, at a location other than the manufacturer's premises. Introduced by Senator Benning. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

S. 201 An act relating to limitations on prescriptions for opioids <http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0201/S-0201%20As%20Introduced.pdf> This bill proposes to place limitations on prescriptions for opioids. It would prohibit refills and future fill dates for opioid prescriptions, limit prescriptions for opioids to treat acute pain to a 72-hour supply under most circumstances, and limit prescriptions for opioids to treat chronic pain to a 30-day supply. It would direct practitioners to query the Vermont Prescription Monitoring System prior to issuing a subsequent 30-day prescription for an opioid to treat a patient

with chronic pain and would require practitioners to screen those patients for signs of a substance use disorder. Introduced by Senator Nitka. **IN HEALTH AND WELFARE**

S. 241 An act relating to personal possession and cultivation of cannabis and the regulation of commercial cannabis establishments

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0241/S-0241%20As%20Introduced.pdf> This bill proposes to:

1. Permit a person who is 21 years of age or older to possess and cultivate limited amounts of cannabis for personal use; establish civil penalties for possession and cultivation above the limits; and criminal penalties for unauthorized dispensing or sale of cannabis.
2. Provide civil penalties for a person who is under 21 years of age who possesses cannabis or attempts to procure cannabis from a registered cannabis establishment and criminal penalties for a person who furnishes or sells cannabis to a person who is under years of age.
3. Establish a Cannabis Control Board within the Department of Public Safety. The Board would be responsible for rulemaking, administration, and enforcement concerning registered commercial cannabis establishments.
4. Establish a regulatory structure for commercial cannabis, including six types of cannabis establishments that may be registered to operate in this State: cannabis cultivator; cannabis transporter; cannabis-infused product manufacturer; cannabis testing laboratory; cannabis retailer; and cannabis lounge.
5. Permit commercial manufacture and sale of cannabis-infused products that are intended for topical use only and that are nonedible, while directing further study of commercial production and sale of edible cannabis products.
6. Permit municipalities to regulate or prohibit cannabis establishments, but not personal possession and cultivation.
7. Prohibit consumption of cannabis in a public place and any other location in which smoking a tobacco product is prohibited.
8. Establish a fund for depositing all monies collected by the State related to commercial cannabis establishments and allocate monies first toward implementation, administration, and enforcement of the act and youth access prevention and education.
9. Establish the temporary Cannabis Program Review Commission for the purpose of facilitating efficient and lawful implementation of this act and making recommendations to the General Assembly and the Governor concerning issues such as drugged driving and advisability of permitting the manufacture and sale of edible cannabis products.

Introduced by Senators White and Benning. **IN JUDICIARY**

S. 243 An act relating to combating opioid abuse in Vermont

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0243/S-0243%20As%20Introduced.pdf> This bill proposes to increase the frequency with which health care providers query the Vermont Prescription Monitoring System when prescribing opioids to their patients. It would require the Commissioners of Health and of Public Safety to establish a statewide prescription drug disposal program. The bill would seek to increase the number of prescribers of buprenorphine to patients with a substance use disorder by encouraging care coordination with

primary care providers, establishing a telemedicine pilot program, and requiring insurance reimbursement for certain pill counts conducted by pharmacists. It would also increase the amount of continuing medical education certain physicians must complete on the topic of prescribing controlled substances, including education on the use of complementary and alternative therapies instead of opioid controlled substances in treating chronic pain. Introduced by Senators Sirotkin and Ashe. **IN HEALTH AND WELFARE**

S. 250 An act relating to farm distilleries and Vermont barrel aged maple spirits

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0250/S-0250%20As%20Introduced.pdf> This bill proposes to create a farm distiller's license for manufacturers of spirits made from Vermont agricultural products or Vermont maple sap, and to define Vermont spirits and Vermont barrel aged maple spirits. Introduced by Senator Mullin. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

S. 251 An act relating to the Commissioner of Liquor Control and the Liquor Control Board

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0251/S-0251%20As%20Introduced.pdf> This bill proposes to limit Liquor Control Board members to a maximum of two five-year terms; to establish the number of Board members necessary for a quorum and for the Board to take action; to provide for the appointment of the Commissioner of Liquor Control by the Governor from a pool of candidates proposed by the Liquor Control Board; and to direct the Legislative Council, in consultation with the Board, Department, and Attorney General, to prepare a draft bill that would reorganize and clarify the statutory provisions of Title 7. Introduced by Senators Baruth and Degree. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

S. 252 An act relating to the sale of lottery products

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0252/S-0252%20As%20Introduced.pdf> This bill proposes to continue to permit the State Lottery Commission to adopt rules permitting the sale of lottery products in establishments that also hold first-class and first- and third-class licenses to sell alcoholic beverages. Introduced by Senator Mullin. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

S. 253 An act relating to the manufacture of fortified wines

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0253/S-0253%20As%20Introduced.pdf> This bill proposes to permit a person to obtain a manufacturer's or rectifier's license to produce both vinous beverages and fortified wines. Introduced by Senator Mullin. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**

S. 259 An act relating to smoke-free rental housing

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/S-0259/S-0259%20As%20Introduced.pdf> This bill proposes to require that in a building with four or more dwelling units at least one-half of the rented dwelling units be smoke free. Introduced by Senator McCormack. **IN ECONOMIC DEVELOPMENT, HOUSING AND GENERAL AFFAIRS**