

Legislative Update – 1/27/2017

This is a summary of ATOD related legislation introduced during the first session of the 2017 – 2018 biennium. Bills not passed this session will remain active for the 2018 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 2017](#)
[Senate Bills 2017](#)

NEW THIS WEEK:

H.124 An act relating to mental health insurance benefits

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0124/H-0124%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, Christensen of 2 Weathersfield, Cina of Burlington, Dunn of Essex, and Pugh of 3 South Burlington.

IN HEALTH CARE

H.127 An act relating to prohibiting smoking in multi-unit housing

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0127/H-0127%20As%20Introduced.pdf>

This bill proposes to prohibit smoking in condominiums and other multi-unit housing in Vermont.

Introduced by Representative Stevens of Waterbury.

IN GENERAL, HOUSING AND MILITARY AFFAIRS

H.128 An act relating to casino events hosted by nonprofit organizations

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0128/H-0128%20As%20Introduced.pdf>

This bill proposes to increase to two events per month the number of casino events that a location owned by a nonprofit organization may be used for, one of which may be hosted by the organization that owns the location and one that may be hosted by another nonprofit organization.

Introduced by Representative Bissonnette of Winooski.

IN GENERAL, HOUSING AND MILITARY AFFAIRS

H.134 An act relating to establishing the Agency of Controlled Substances

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0134/H-0134%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 Representative Stevens of Waterbury.

IN GENERAL, HOUSING AND MILITARY AFFAIRS

H.140 An act relating to the validity of criminal statutes and conditions of probation or release related to alcohol consumption

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0140/H-0140%20As%20Introduced.pdf>

This bill proposes to clarify that the policy statement in the Division of Alcohol and Drug Abuse

statute does not limit or affect the validity of any criminal statute or any condition of probation or release related to alcohol consumption.

Introduced by Representatives Willhoit of St. Johnsbury and Conquest of Newbury.

IN JUDICIARY

H.145 An act relating to establishing the Mental Health Crisis Response Commission

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0145/H-0145%20As%20Introduced.pdf>

This bill proposes to establish the Mental Health Crisis Response Commission for the purpose of reviewing fatalities and serious bodily injuries that occur during interactions between law enforcement and persons demonstrating symptoms of mental illness.

Introduced by Representatives Donahue of Northfield, Donovan of Burlington, and Lippert of Hinesburg.

IN HEALTH CARE

S.55 An act relating to territorial jurisdiction over regulated drug sales

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/S-0055/S-0055%20As%20Introduced.pdf>

This bill proposes to expand Vermont's territorial jurisdiction over prohibited regulated drug sales.

Introduced by Senator Sears.

NOT YET ASSIGNED TO COMMITTEE

CHANGED:

None.

HOUSE BILLS INTRODUCED IN 2017:

H.8 An act relating to distracted driving

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0008/H-0008%20As%20Introduced.pdf>

This bill proposes to

- (1) require the assessment of points against a person's driving record for violating the law prohibiting handheld use of a portable electronic device while driving if the offense occurs in a school zone;
- (2) require the assessment of points against a person's driving record for a second or subsequent violation of the law prohibiting handheld use of a portable electronic device while driving;
- (3) require that an oral or written license examination administered by the Commissioner of Motor Vehicles test the applicant's awareness of the dangers of distracted driving;
- (4) require the Commissioner of Motor Vehicles to recall a minor's learner's permit or junior operator's license for 30 days following a second or subsequent conviction of violating the law prohibiting handheld use of a portable electronic device while driving;
- (5) amend the law creating the State's DUI Enforcement Special Fund in order to rename the Fund and expand the purpose of the Fund to include expenditures to support enforcement of the State's distracted driving laws, and make related conforming changes.

Introduced by Representatives LaLonde of South Burlington, Bissonnette of Winooski, Conquest of Newbury, Potter of Clarendon, Stuart of Brattleboro, Townsend of South Burlington, Viens of Newport City, and Willhoit of St. Johnsbury

IN TRANSPORTATION

H.20 An act relating to prohibiting consumption of marijuana in a motor vehicle

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0020/H-0020%20As%20Introduced.pdf>

This bill proposes to establish civil penalties for consuming marijuana or having an open container of marijuana while in an operating motor vehicle.

Introduced by Representatives McCoy of Poultney and Shaw of Pittsford

IN JUDICIARY

H.24 An act relating to drugged driving

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0024/H-0024%20As%20Introduced.pdf>

This bill proposes to prohibit the operation of a motor vehicle by a person who has a 0.05 blood alcohol level and any detectable amount of the psychoactive constituent of cannabis in his or her body.

Introduced by Representatives Grad of Moretown, Conquest of Newbury, LaLonde of South Burlington, and Viens of Newport City

IN TRANSPORTATION

H.28 An act relating to creating a public option for health care coverage

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0028/H-0028%20As%20Introduced.pdf>

This bill proposes to create a public option for health care coverage that would be available to all Vermont residents and employers and would be publicly funded. It would remove health insurance benefits from the bargainable subjects for public employees who are subject to a collective bargaining agreement and instead specify that employees who wish to have health insurance coverage would be covered under the public option.

Introduced by Representative Poirier of Barre City

IN HEALTH CARE

H.52 An act relating to increasing the smoking age from 18 to 21 years of age

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0052/H-0052%20As%20Introduced.pdf>

This bill proposes to increase the 16 smoking age from 18 to 21 years of age.

Introduced by Representatives Till of Jericho, Canfield of Fair Haven, Christie of Hartford, Donovan of Burlington, Dunn of Essex, Gonzalez of Winooski, Joseph of North Hero, Juskiwicz of Cambridge, LaLonde of South Burlington, Lanpher of Vergennes, Lucke of Hartford, Macaig of Williston, McCullough of Williston, Miller of Shaftsbury, Morris of Bennington, Partridge of Windham, Poirier of Barre City, Potter of Clarendon, Rachelson of Burlington, Squirrell of Underhill, Sullivan of Burlington, Townsend of South Burlington, Troiano of Stannard, Walz of Barre City, Webb of Shelburne, Yacovone of Morristown, and Yantachka of Charlotte

IN HUMAN SERVICES

H.54 An act relating to the Total Abstinence program

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0054/H-0054%20As%20Introduced.pdf>

This bill proposes to remove the use of prescription medication as a disqualification for restoration of driving privileges under the Total Abstinence program.

Introduced by Representatives Brennan of Colchester, Gamache of Swanton, Houghton of Essex, and Savage of Swanton.

IN TRANSPORTATION

H.89 An act relating to the service of alcoholic beverages by theaters

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0089/H-0089%20As%20Introduced.pdf>

This bill proposes to allow theaters without an alcoholic beverages license to serve alcoholic beverages to the public.

Introduced by Representatives Morrissey of Bennington, Botzow of Pownal, 2 Browning of Arlington, Corcoran of Bennington, Fields of 3 Bennington, Keefe of Manchester, Miller of Shaftsbury, Morris 4 of Bennington, and Sullivan of Dorset.

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Introduced by Representatives Donahue of Northfield, Donovan of Burlington, and Lippert of Hinesburg.

IN HEALTH CARE

SENATE BILLS INTRODUCED IN 2017:

S.3 An act relating to mental health professionals' duty to warn

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/S-0003/S-0003%20As%20Introduced.pdf>

This bill proposes to impose a duty on mental health professionals to take reasonable precautions when a patient poses an imminent risk of serious danger to a reasonably identifiable victim.

Introduced by Senators Sears, Ayer, and White

IN JUDICIARY

S.16 An act relating to expanding patient access to the Medical Marijuana Registry

<http://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/S-0016/S-0016%20As%20Introduced.pdf>

This bill proposes to waive the three-month patient-health care professional relationship requirement when the patient is referred to a specialist who completes a full examination and signs the medical verification form; expand list of qualifying medical conditions; increase the number of dispensaries from four to eight; allow dispensaries to advertise; allow a patient to possess up to three ounces of marijuana; clarify that a dispensary may cultivate marijuana outdoors provided the marijuana is in an enclosed, locked facility shielded from public view; allow a patient or caregiver to cultivate marijuana even if the patient has designated a dispensary; allow a dispensary to convert to a for-profit; require continuing medical education to include training on the Medical Marijuana Registry; require the Agency of Agriculture, Food and Markets to independently test marijuana-infused edible or potable products sold by a dispensary to ensure appropriate labeling of the tetrahydrocannabinol content.

Introduced by Senators Sears, Ashe, Benning, Campion, Degree, Lyons, and White

IN JUDICIARY

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