

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 72
3 entitled “An act relating to extreme risk protection orders” respectfully reports
4 that it has considered the same and recommends that the bill be amended by
5 striking out all after the enacting clause and inserting in lieu thereof the
6 following:

7 Sec. 1. 13 V.S.A. § 4057 is amended to read:

8 § 4057. PROCEDURE

9 (a) Except as otherwise specified, proceedings commenced under this
10 subchapter shall be in accordance with the Vermont Rules for Family
11 Proceedings and shall be in addition to any other available civil or criminal
12 remedies.

13 * * *

14 (d)(1) For purposes of a petition filed pursuant to this subchapter, a health
15 care provider may notify a law enforcement officer when the provider believes
16 in good faith that disclosure of the information is necessary to prevent or lessen
17 a serious and imminent threat to the health or safety of a person or the public.

18 (2) As used in this subsection:

19 (A) “Health care provider” has the same meaning as in 18 V.S.A.

20 § 9432.

1 (B) “Necessary to prevent or lessen a serious and imminent threat to
2 the health or safety of a person or the public” includes circumstances when the
3 health care provider reasonably believes that the patient poses an extreme risk
4 of causing harm to himself or herself or another person by purchasing,
5 possessing, or receiving a dangerous weapon or by having a dangerous weapon
6 within his or her custody or control.

7 Sec. 2. 13 V.S.A. § 4062 is added to read:

8 § 4062. ANNUAL REPORTING; OFFICE OF COURT ADMINISTRATOR
9 AND AGENCY OF HUMAN SERVICES

10 (a) On or before September 1, 2019 and annually thereafter, the Court
11 Administrator, with the assistance of the Agency of Human Services, shall
12 report data on the use of extreme risk protection orders during the previous
13 year to the Senate and House Committees on Judiciary.

14 (b) The reports required by this section shall include the following data for
15 the previous year:

16 (1) the number of extreme risk protection order petitions filed and the
17 number of orders issued;

18 (2) geographical data indicating the county where the petition was filed;
19 and

20 (3) follow-up information describing ~~what occurred in the matter after~~
21 ~~the petition was issued, what happened to the respondent, and whether the~~

1 respondent was referred for and received mental health treatment whether the
2 order was renewed or terminated pursuant to section 4055 of this title and
3 whether the subject of the order was charged with violating it under section
4 4058 of this title.

5 (c) The Agency of Human Services shall include in the reports required by
6 this section an analysis of the impact of extreme risk prevention orders on
7 Vermont suicide rates, including any relevant data relied on or utilized by the
8 Agency for purposes of providing the information required by 2017 Acts and
9 Resolves No. 34, An act relating to evaluation of suicide profiles.

10 Sec. 3. EFFECTIVE DATE

11 This act shall take effect on passage.

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16 (Committee vote: _____)

17

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Senator _____

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FOR THE COMMITTEE