

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2014

Bill Number: S.275 Name of Bill: An act relating to the Court's jurisdiction over youthful offenders

Agency/Dept: Department of Public Safety Author of Bill Review: Det/Sgt John-Paul Schmidt

Date of Final Bill Review: 5/22/2014 Status of Bill: (check one):

☐ Upon Introduction ☐ As passed by 1st body ☒ As passed by both bodies

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why*

This bill clarifies, through a statement of legislative intent, that an existing discrepancy between two statutes (33 VSA 5104(a) and 33 VSA 5204a(b)(2)(A)) covering the maximum age (up to age 22 or up to age 23) a subject can be deemed to be a youthful offender is in fact intentional. Under most circumstances, a person can only retain youthful offender status up until age 22. However, specific circumstances spelled out under 33 VSA 5204a(b)(2)(A) allow for the status to be extended up to age 23.

As originally proposed, this bill would have streamlined both statutes by having youthful offender status able to be extended up to age 23 for all situations. As it now stands, the bill keeps things as they are and only clarifies that the difference between the two statutes is intentional.

2. Is there a need for this bill? *Please explain why or why not*

This bill keeps the existing inconsistency between two statutes that cover youthful offender status and clarifies that this is, in fact, intentional. This probably could have been addressed through modifying the wording of 33 VSA 5204a(b)(2)(A).

3. What are likely to be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?

There are none. This bill will not prompt any significant changes.

4. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?

There are not any likely implications, as the bill no longer initiates the changes it originally proposed.

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? *(for example, public, municipalities, organizations, business, regulated entities, etc)*

None. See above.

6. Other Stakeholders:

6.1. Who else is likely to support the proposal and why?

Not applicable.

6.2. Who else is likely to oppose the proposal and why?

Not applicable.

7. Rationale for recommendation: *Justify recommendation stated above.*

This bill maintains the status quo of conflicting statutes. The legislature clarified that the difference between the two statutes is intentional.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended positions.*

None.

Secretary/Commissioner has reviewed this documents:

A handwritten signature in blue ink, appearing to be "Laura Gray", is positioned above a horizontal line.

Date: 5/23/14

Please return this bill review as a Microsoft Word or PDF document to laura.gray@state.vt.us