

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2015**

Bill Number: S.140 Name of Bill: Act relating to creating a Vermont false claims

Agency/Dept: DPS/VSP Author of Bill Eric Jollymore  
Review: \_\_\_\_\_

Date of Bill Review: 3.25.15 Status of Bill: (check one):

Upon Introduction  As passed by 1<sup>st</sup> body  As passed by both bodies

Recommended Position:

Support  Oppose  Remain Neutral  Support with modifications identified in # 8 below

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**Analysis of Bill**

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

This bill provides the State of Vermont with a tool to address and prosecute individuals who raise claims against the State of Vermont or one of its departments; agents or interests and these claims are later determined to be false. This bill would provide the authority and direction to the Vermont Attorney General Office on how to handle these types of incidents. It further defines the restitution and civil penalties associated.

This bill is materially the same as H.120 in scope, regulation, enforcement and penalties.

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

Similar to H.120 there continues to be a need for this bill. There does not appear to be any applicable statutes currently in place that provide a tool or mechanism for the State of Vermont to handle false claims against the State.

**3. What are likely to be the fiscal and programmatic implications of this bill for this Department?**

Similar to H.120, this bill does not appear that it would pose any impact or require any involvement by the Vermont State Police.

**4. What might 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?**

I am unsure what the fiscal or programmatic implications of this bill would be for the Vermont Attorney General Office. It appears that this bill if signed would be aligned with the mission of that department and would be a normal component to their regular duties.

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**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).**

This bill specifically charges the Vermont Attorney General Office with handling any prosecution and litigation of matters relating to false claims. It does not list any other persons, agents, departments or entities as being involved.

**6. Other Stakeholders:**

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

In a similar manner for H.120, it appears that the Vermont Attorney General would support this bill. He may support this bill because it would provide a mechanism to defend the State of Vermont against false claims and to recuperate any expenses incurred by these false claims.

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

It does not appear that anyone would oppose this bill.

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

This bill like H.120 would fill a gap that currently exists for the State of Vermont to defend itself civilly against false claims and to recuperate expenses incurred.

**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 position.***

No modifications are recommended at this time.

**Secretary/Commissioner has reviewed this document**



**Date: 4/10/15**