

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

Bill Number: H.31 Name of Bill: Crime of Public Intoxication

Agency/Dept: VT State police Author of Bill Lt. Brian H. Miller  
Review: \_\_\_\_\_

Date of Bill Review: 01/22/15 Related Bills and Key Players: \_\_\_\_\_

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

**Analysis of Bill**

1. **Summary of bill and issue it addresses.** *This bill makes it a crime to be intoxicated in public when the person is unable to care for themselves or another person. The intoxicated person also may not obstruct or prevent the use of street, sidewalk or public way.*
2. **Is there a need for this bill?** **No, there is already a law against disorderly conduct that would include an intoxicated person.**
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?** **Increased calls for enforcement of this law.**
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?** **Possible increase in those who are referred to alcohol treatment as a result of being arrested for this offense. It will be an unnecessary burden on the courts.**
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** **Alcohol treatment facilities may see an increase in referrals.**
6. **Other Stakeholders:**
  - 6.1 **Who else is likely to support the proposal and why?** **Chamber of commerce, VT dept of liquor control**
  - 6.2 **Who else is likely to oppose the proposal and why?** **Defense attorneys, ACLU, bar owners, courts**
7. **Rationale for recommendation:** *This bill will create a public drunkenness law that will result in criminal charges in addition to detox. It will create an undue burden on law enforcement and the courts.*

Please return this bill review as a Microsoft Word or PDF document to [laura.gray@state.vt.us](mailto:laura.gray@state.vt.us) and [Jessica.mishaan@state.vt.us](mailto:Jessica.mishaan@state.vt.us)

8. Specific modifications that would be needed to recommend support of this bill: *None*

9. Gubernatorial appointments to board or commission? *None*

Secretary/Commissioner has reviewed this document



Date: 4/6/15