



VERMONT

VERMONT COMMISSION ON WOMEN

2016 Legislative Update

Learn more about new laws passed by the Vermont Legislature during the past session that particularly impact women.

- **Automatic Voter Registration** (H.458, Act 80)

What is it:

Provides automatic voter registration for eligible Vermonters at the time of application for a driver's license or non-driver ID card.

It streamlines voter registration at the DMV with a system that identifies eligible voters and automatically sends their information to their municipal clerk for addition to the voter checklist, unless they choose to opt out, thereby increases voter registration, decreasing barriers to voting, saving Vermonters time and energy.

Effective Date:

July 1, 2017

Learn more:

Read the [text of the bill here](#).

- **Earned Sick Time** (H.187, Act 69)

What is it:

Guarantees paid sick leave for Vermont workers, eliminating the necessity to choose between caring for oneself or a family member and a paycheck.

This act requires employers to provide earned, paid sick time to their employees who work an average of 18 hours per week or more (excluding seasonal workers who work fewer than 20 weeks per year, temporary employees scheduled to work fewer than 20 weeks, and certain per diem or intermittent workers).

Employees must earn the equivalent of at least 1 hour of paid time for every 52 hours worked. Employers can limit employees use to

40 hours of earned time per year. Employers can also opt to require a one-year waiting period for new-hires, during which they must earn but may not use earned sick time.

Employees may use their earned time off:

- if they are ill or injured;
- to obtain professional health care;
- to care for a sick or injured parent, grandparent, child, brother, sister, parent-in-law, grandchild, or foster child, including to help them obtain health care;
- to arrange for social or legal services, obtain medical care or counseling for themselves, a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child who is a victim of or is relocating as a result of domestic violence, sexual assault, or stalking.
- to care for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child because the school or business where that individual is normally located during the employee's workday is closed for public health or safety reasons.

Effective Date: January 1, 2017. Small businesses with fewer than five full time workers have an extension until January 1, 2018. Employers may institute a one-year waiting period for all employees in the first year this act is effective for their business. New businesses are exempt for one year after hiring their first employee.

Learn more: Read the [text of the bill here](#).

- **Birth Control Access** (H.620, Act 120)

What is it: *Provides greater access to methods of birth control with no co-pay, including vasectomy and LARCs, and enables uninsured women to sign up for health insurance at any time during their pregnancy, increasing access to health care. Value based payment for LARCs make it easier for medical offices to provide and stock the devices and provide them same day.*

This act codifies the birth control benefit in the Affordable Care Act, ensuring that women have access to birth control without co-pays, enabling women to pick up a year's supply of birth control in one visit, and extends the birth control benefit to no co-pay vasectomies.

The act improves access to Long-Acting Reversible Contraceptives (LARCs), such as injections, intrauterine devices (IUDs) and subdermal implants. LARCs are the most effective reversible birth control methods available and increased access to them has reduced the unintended pregnancy rate in other parts of the U.S. Value based payments will make it easier for medical offices to stock and provide them to patients the same day as their office visit. The act will bring parity to LARCs and oral contraceptives.

The act also creates a special health insurance enrollment period on the health exchange that allows women to enroll in the exchange at any time during their pregnancy, not just during Open Enrollment.

Effective: July 1, 2016 the exchange special enrollment period for pregnancy is effective.

October 1, 2016 no copay birth control access, inclusion of vasectomies, and coverage of a year's supply of birth control are effective for Medicaid plans, and for health insurance plans on the first date of policy issuance or renewal after October 1, 2016.

October 1, 2016 the increased reimbursement rate for LARCs is effective.

Learn more: Read the [text of the bill here](#).

- **Stalking Statutes** (S.154, Act 162)

What is it:

This act expands access to civil protection orders and criminal remedies by updating the definition of stalking to reflect modern realities, including use of technology. It eliminates the requirement that an individual seeking a sexual assault protection order prove there is danger of future harm, and allows the issuance of a protective order once the plaintiff has established they were sexually assaulted by the defendant.

Updates the criminal and civil definition of stalking to include:

- engaging purposefully in a course of conduct;
- directing the conduct at a specific person;
- that the person engaging in the conduct knows or should know the conduct would cause a reasonable person to fear for his or her safety or the safety of another or would cause a reasonable person substantial emotional distress.

Redefines the stalker’s “course of conduct” as two or more acts over a period of time, however short, in which a person follows, monitors, surveils, threatens, or makes threats about another person, or interferes with another person’s property. This applies to acts conducted by the person directly or indirectly, and by any action, method, device, or means. This update includes modern technological means used to track, intimidate and harass victims.

States that no overt threat is required.

Includes fear of physical harm and emotional distress. A stalking (civil protection) order may be granted if a person suffers substantial emotional distress as evidenced by:

- (i) a fear of unlawful sexual conduct, unlawful restraint, bodily injury, or death; *or*
- (ii) significant modifications in the person’s actions or routines, including moving from an established residence, changes to established daily routes to and from work that cause a serious disruption in the person’s life, changes to the person’s employment or work schedule, or the loss of a job or time from work.

Adds “lewd and lascivious conduct” to the definition of sexual assault.

Eliminates the prior requirement that a plaintiff seeking a Civil Sexual Assault Protection Order prove that there is a danger of the defendant further harming the plaintiff. This law instead directs the court to issue an order if it finds that the defendant did sexually assault the plaintiff.

Effective: July 1, 2016

Learn more: Read the [text of the bill here](#).

- **Protection Orders** (S.154, Act 162 & H.95, Act 153)

What is it: *Allows minors age 16 and 17 to file for protection orders on their own.*

These acts change the age from 18 to 16 that an individual can file on their own for Stalking Civil Protection Orders, Sexual Assault Civil Protection Orders, (Act 162) and Relief from Abuse Orders (Act 153) from *any household member*. 16 and 17 year olds

already could file an order on their own from someone in a sexual or dating relationship, and this bill does not change that.

Effective: July 1, 2016

Learn More: Read the [text of the bill modifying the statute for Stalking & Sexual Assault Civil Protection Orders here.](#)

Read the [text of the bill modifying the statute for Relief from Abuse Orders here.](#)

- **Dental Therapist Legislation** (S.20, Act 161)

What is it: *Establishes and regulates a new category of oral health practitioner: dental therapists.*

This law increases access for Vermonters to oral health care, especially in areas with a significant volume of patients who are low income, or who are uninsured or underserved. This bill also creates an additional career path for dental hygienists.

Effective: June 2, 2016

Learn More: Read the [text of the bill here.](#)

- **Victim Notification** (H.153, Act 155)

What is it: *Clarifies the victim notification requirements.*

This act clarifies the victim notification requirements at two key phases in the criminal process:

- when corrections terminates or discharges an offender from probation; and
- when an offender is arrested, cited, and then released back into the community by law enforcement prior to arraignment. It codifies existing practices to ensure consistency throughout the system and across the state that victims are notified in both of these cases.

Effective: July 1, 2016

Learn more: Read the [text of the bill here.](#)