

1 H.79

2 Introduced by Representatives Fagan of Rutland City, Cupoli of Rutland City,

3 Gage of Rutland City, Russell of Rutland City, and Terenzini of

4 Rutland Town

5 Referred to Committee on

6 Date:

7 Subject: Regulated drugs; penalties for sale in dwelling

8 Statement of purpose of bill as introduced: This bill proposes to impose
9 criminal penalties on a landlord who permits a tenant to occupy a dwelling
10 owned by the landlord if the landlord has actual knowledge that the tenant is
11 using or intends to use the dwelling for the purpose of illegally selling drugs.
12 The landlord is exempt from any penalties if he or she notifies a law
13 enforcement officer within 24 hours of becoming aware that the premises are
14 being used for the sale of drugs.

15 An act relating to penalties for the sale of regulated drugs in a dwelling

16 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 18 V.S.A. § 4252 is amended to read:

2 § 4252. PENALTIES FOR DISPENSING OR SELLING REGULATED

3 DRUGS IN A DWELLING

4 (a) No person shall knowingly permit a dwelling, building, or structure
5 owned by or under the control of the person to be used for the purpose of
6 illegally dispensing or selling a regulated drug.

7 (b) A landlord shall be in violation of subsection (a) of this section ~~only~~ if
8 the landlord ~~knew at the time he or she signed the lease agreement~~ has actual
9 knowledge that the tenant ~~intended~~ is using or intends to use the dwelling,
10 building, or structure for the purpose of illegally dispensing or selling a
11 regulated drug.

12 (c) It shall not be a violation of this section if the landlord notifies a law
13 enforcement officer within 24 hours of becoming aware that the tenant is using
14 or intends to use the dwelling for the purpose of illegally selling drugs.

15 (d) A person who violates this section shall be imprisoned not more than
16 two years or fined not more than \$1,000.00, or both.

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on July 1, 2013.