

1 H.140

2 Introduced by Representatives Willhoit of St. Johnsbury and Conquest of

3 Newbury

4 Referred to Committee on

5 Date:

6 Subject: Health; alcohol and drug abuse programs

7 Statement of purpose of bill as introduced: This bill proposes to clarify that
8 the policy statement in the Division of Alcohol and Drug Abuse statute does
9 not limit or affect the validity of any criminal statute or any condition of
10 probation or release related to alcohol consumption.

11 An act relating to the validity of criminal statutes and conditions of
12 probation or release related to alcohol consumption

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

14 Sec. 1. 18 V.S.A. § 4801 is amended to read:

15 § 4801. DECLARATION OF POLICY

16 (a) It is the policy of the State of Vermont that alcoholism and alcohol
17 abuse are correctly perceived as health and social problems rather than
18 criminal transgressions against the welfare and morals of the public.

1 (b) The General Assembly therefore declares that:

2 (1) alcoholics and alcohol abusers shall no longer be subjected to
3 criminal prosecution solely because of their consumption of alcoholic
4 beverages or other behavior related to consumption which is not directly
5 injurious to the welfare or property of the public; and

6 (2) alcoholics and alcohol abusers shall be treated as sick persons and
7 shall be provided adequate and appropriate medical and other humane
8 rehabilitative services congruent with their needs.

9 (c) This section shall not be construed to limit or affect the validity of any
10 criminal statute or any condition of probation or release related to alcohol
11 consumption.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on passage.