

The Vermont Statutes Online

The statutes were updated in November, 2018, and contain all actions of the 2018 legislative session.

Title 24 : Municipal And County Government

Chapter 055 : Police

(Cite as: **24 V.S.A. § 1936a**)

§ 1936a. Constables; powers and qualifications

(a) A town may vote at a special or annual town meeting to prohibit constables from exercising any law enforcement authority.

(b) Notwithstanding the provisions of subsection (a) of this section, constables may perform the following duties:

- (1) the service of civil or criminal process, under 12 V.S.A. § 691;
- (2) destruction of animals, in accordance with the provisions of 20 V.S.A. chapter 193;
- (3) the killing of injured deer, under 10 V.S.A. § 4749;
- (4) provision of assistance to the health officer in the discharge of the health officer's duties, under 18 V.S.A. § 617;
- (5) service as a Criminal Division of the Superior Court officer, under section 296 of this title;
- (6) removal of disorderly people from town meeting, under 17 V.S.A. § 2659; and
- (7) collection of taxes, when no tax collector is elected, as provided under section 1529 of this title.

(c) A constable who is not prohibited from exercising law enforcement authority under subsection (a) of this section may transport a person arrested by the constable for a violation of 23 V.S.A. § 1201 (DUI) to a police department outside the town for the purpose of DUI processing and may complete the processing if he or she has been certified by the Vermont Criminal Justice Training Council to do so.

(d) A municipal legislative body may vote to allow a constable elected or appointed in another municipality to exercise law enforcement authority in its municipality, provided that:

(1) the constable is not prohibited from exercising law enforcement authority under subsection (a) of this section;

(2) the constable is certified to exercise that level of authority under 20 V.S.A. § 2358; and

(3) the exercise of law enforcement authority is conducted in accordance with policies and procedures adopted by the legislative body establishing the circumstances under which the authority may be exercised. (Added 1991, No. 177 (Adj. Sess.), § 3; amended 1997, No. 57, § 8, eff. June 26, 1997; 1999, No. 160 (Adj. Sess.), § 27; 2007, No. 195 (Adj. Sess.), § 9, eff. July 1, 2010; 2009, No. 108 (Adj. Sess.), § 11; 2009, No. 154 (Adj. Sess.), § 238; 2013, No. 141 (Adj. Sess.), § 19, eff. July 1, 2015.)