

1 Introduced by Senate Committee on Economic Development and Housing and

2 General Affairs

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; land use; housing; Act 250

6 Statement of purpose of bill as introduced: This bill proposes to make multiple

7 changes related to housing, including land use planning, Act 250, municipal

8 zoning, taxes, and housing incentives and programs.

9 An act relating to bringing everyone home

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

11 Sec. 1. SHORT TITLE

12 This act shall be known and may be cited as the “Be Home Act.”

13 * * * BUILDING CODE REPORT * * *

14 Sec. 2. BUILDING CODE REPORT

15 (a) On or before January 15, 2025, the Department of Environmental

16 Conservation shall submit a report to the Senate Committee on Economic

17 Development, Housing, and General Affairs and the House Committees on

18 Environment and Energy and on General and Housing on the identifying rate

19 of adoption of the Federal Emergency Management Agency’s flood resistant

1 building code by Vermont municipalities. The report shall recommend
2 strategies to increase the adoption of code.

3 (b) The sum of \$50,000.00 is appropriated from the General Fund to the
4 Department of Environmental Conservation for the purpose of subsection (a)
5 of this section.

6 * * * Parking effective date * * *

7 Sec. 3. 2023 Acts and Resolves No. 81, Sec. 10 is amended to read:

8 Sec. 10. 2023 Acts and Resolves No. 47, Sec. 47 is amended to read:

9 Sec. 47. EFFECTIVE DATES

10 This act shall take effect on July 1, 2023, except that:

11 (1) Sec. 1 (24 V.S.A. § 4414) shall take effect on ~~December~~ July 1,
12 2024.

13 * * *

14 * * * Act 250 * * *

15 Sec. 4. 10 V.S.A. § 6085a is added to read:

16 § 6085a. RECORDED HEARINGS

17 (a) Any appeal under section 6089 of this title shall be a review of the
18 record of the proceeding before the District Commission in accordance with
19 subdivision 8504(h)(3) of this title.

20 (b) Within 10 calendar days of receipt of a complete application under
21 section 6084 of this title, the District Commission shall provide notice of the

1 recorded hearings in accordance with the procedures of subdivision 6084(b)(1)
2 of this title.

3 (c) Each of the following shall apply to the review of an application under
4 this section:

5 (1) The District Commission shall extend the hearing schedule or take
6 other appropriate action as necessary to provide a fair and reasonable
7 opportunity for parties to prepare, present, and respond to evidence without
8 creating undue delay in the review of the application.

9 (2) The District Commission may require parties to submit prefiled
10 testimony and exhibits. If the District Commission requires submission of
11 prefiled evidence, the applicant and any parties supporting the application shall
12 submit their prefiled direct evidence first, and then other parties shall be given
13 a reasonable opportunity to submit their prefiled direct evidence. The District
14 Commission may then allow the submission or presentation of rebuttal
15 testimony and exhibits in the sequence and form that it determines to be
16 appropriate.

17 (3) Unless the parties agree otherwise, the District Commission in a
18 prehearing order shall establish the type, sequence, and amount of discovery
19 available under Rules 26–37 of the Vermont Rules of Civil Procedure, limiting
20 the discovery permitted to that necessary for a full and fair determination of the
21 proceeding.

1 court shall affirm the decision, unless it finds that the Commissioner did not
2 have reasonable grounds on which to base the decision: and

3 (3) a permit decision from a District Commission under chapter 151,
4 which shall be on the record.

5 Sec. 6. 10 V.S.A. § 6001 is amended to read:

6 § 6001. DEFINITIONS

7 As used in this chapter:

8 * * *

9 (3)(A) “Development” means each of the following:

10 * * *

11 (iv)(I) The construction of housing projects such as cooperatives,
12 condominiums, or dwellings, or construction or maintenance of mobile homes
13 or mobile home parks, with ~~40~~ 30 or more units, constructed or maintained on
14 a tract or tracts of land, in areas feasibly served by municipal sewer and water
15 infrastructure as defined by 24 V.S.A. § 4303, not located within a designated
16 center, and owned or controlled by a person, ~~within a radius of five miles of~~
17 ~~any point on any involved land and~~ within any continuous period of ~~five~~ two
18 years. ~~However:~~

19 ~~(I) A priority housing project shall constitute a development~~
20 ~~under this subdivision (iv) only if the number of housing units in the project is:~~

21 ~~(aa) [Repealed.]~~

1 ~~(bb) [Repealed.]~~

2 ~~(cc) 75 or more, in a municipality with a population of 6,000~~
3 ~~or more but less than 10,000.~~

4 ~~(dd) 50 or more, in a municipality with a population of less~~
5 ~~than 6,000.~~

6 ~~(ee) [Repealed.]~~

7 ~~(ff) Notwithstanding subdivisions (cc) through (ee) of this~~
8 ~~subdivision (3)(A)(iv)(I), 10 or more if the construction involves the~~
9 ~~demolition of one or more buildings that are listed on or eligible to be listed on~~
10 ~~the State or National Register of Historic Places. However, demolition shall~~
11 ~~not be considered to create jurisdiction under this subdivision (ff) if the~~
12 ~~Division for Historic Preservation has determined that the proposed demolition~~
13 ~~will have no adverse effect, will have no adverse effect if specified conditions~~
14 ~~are met, or will have an adverse effect that will be adequately mitigated. Any~~
15 ~~imposed conditions shall be enforceable through a grant condition, deed~~
16 ~~covenant, or other legally binding document.~~

17 ~~(II) The determination of jurisdiction over a priority housing~~
18 ~~project shall count only the housing units included in that discrete project. The~~
19 ~~construction of housing projects such as cooperatives, condominiums, or~~
20 ~~dwellings, or construction or maintenance of mobile homes or mobile home~~
21 ~~parks, with 10 or more units, constructed or maintained on a tract or tracts of~~

1 land owned or controlled by a person, within a radius of five miles of any point
2 on any involved land and within any continuous period of two years.

3 ~~(III) Housing units in a priority housing project shall not count~~
4 ~~toward determining jurisdiction over any other project.~~

5 * * *

6 (xi) Notwithstanding any other provision of law to the contrary, ~~until~~
7 ~~July 1, 2026~~, the construction of housing projects such as cooperatives,
8 condominiums, dwellings, or mobile homes, with 25 or more units, constructed
9 or maintained on a tract or tracts of land, located entirely within a designated
10 downtown development district, a designated neighborhood development area,
11 a designated village center with permanent zoning and subdivision bylaws, or a
12 designated growth center, owned or controlled by a person, within a radius of
13 five miles of any point on any involved land and within any continuous period
14 of five years. For purposes of this subsection, the construction of four units or
15 fewer of housing in an existing structure shall only count as one unit towards
16 the total number of units.

17 * * *

18 (D) The word “development” does not include:

19 * * *

20 (iii) The construction of housing projects such as cooperatives,
21 condominiums, or dwellings, or construction or maintenance of mobile homes

1 or mobile home parks, constructed or maintained on a tract or tracts of land,
2 owned or controlled by a person, within a designated center and within a radius
3 of one-half mile of the boundary of a designated center.

4 * * *

5 (viii)(I) The construction of a priority housing project in a
6 municipality with a population of 10,000 or more.

7 (II) If the construction of a priority housing project in this
8 subdivision (3)(D)(viii) involves demolition of one or more buildings that are
9 listed or eligible to be listed on the State or National Register of Historic
10 Places, this exemption shall not apply unless the Division for Historic
11 Preservation has made the determination described in subdivision (A)(iv)(I)(ff)
12 of this subdivision (3) and any imposed conditions are enforceable in the
13 manner set forth in that subdivision.

14 (III) Notwithstanding any other provision of law to the
15 contrary, ~~until July 1, 2026,~~ the construction of a priority housing project
16 located entirely within a designated downtown development district,
17 designated neighborhood development area, or a designated growth center.

18 (ix) Hotels and motels converted to permanently affordable
19 housing developments as defined in 24 V.S.A. § 4303(2).

20 * * *

1 development review board under the provisions of 24 V.S.A. § 4420, with
2 respect to local Act 250 review of municipal impacts. The acceptance of such
3 approval, positive determinations, permit, or permits shall ~~create a presumption~~
4 ~~shall constitute conclusive evidence~~ that the application is not detrimental to
5 the public health and welfare with respect to the specific requirement for which
6 it is accepted. In the case of approvals and permits issued by the Agency of
7 Natural Resources, technical determinations of the Agency shall be accorded
8 substantial deference by the Commissions.

9 (3) The acceptance of negative determinations issued by a development
10 review board under the provisions of 24 V.S.A. § 4420, with respect to local
11 Act 250 review of municipal impacts, shall create a presumption that the
12 application is detrimental to the public health and welfare with respect to the
13 specific requirement for which it is accepted. Any determinations, positive or
14 negative, under the provisions of 24 V.S.A. § 4420 shall create presumptions
15 only to the extent that the impacts under the criteria are limited to the
16 municipality issuing the decision. ~~Such a rule may be revoked or amended~~
17 ~~pursuant to the procedures set forth in 3 V.S.A. chapter 25, the Vermont~~
18 ~~Administrative Procedure Act. The rules adopted by the Board shall not~~
19 ~~approve the acceptance of a permit or approval of such an agency or a permit~~
20 ~~of a municipal government unless it satisfies the appropriate requirements of~~
21 ~~subsection (a) of this section.~~

1 Sec. 8. REPEALS

2 (a) 10 V.S.A. § 6081(o) and (p) are repealed.

3 (b) 30 V.S.A. § 55 (priority housing projects; stretch code) is repealed.

4 (c) 2023 Acts and Resolves No. 47, Sec. 16 (10 V.S.A. § 6001) is repealed.

5 (d) 2023 Acts and Resolves No. 47, Sec. 16a (Act 250 exemption
6 requirements) is repealed.

7 (e) 2023 Acts and Resolves No. 47, Secs. 19c (exemption repeal) and 19d
8 (electric distribution utility project report) are repealed.

9 Sec. 11. 10 V.S.A. § 6032 is added to read:

10 § 6032. DELEGATION OF REVIEW AUTHORITY TO MUNICIPALITIES

11 Sec. 9. 10 V.S.A. § 6093 is amended to read:

12 § 6093. MITIGATION OF PRIMARY AGRICULTURAL SOILS

13 (a) Mitigation for loss of primary agricultural soils. Suitable mitigation for
14 the conversion of primary agricultural soils necessary to satisfy subdivision
15 6086(a)(9)(B)(iv) of this title shall depend on where the project tract is located.

16 (1) Project located in certain designated areas. This subdivision applies
17 to projects located in the following areas designated under 24 V.S.A. chapter
18 76A: a downtown development district, a growth center, a new town center
19 ~~designated on or before January 1, 2014~~, and a neighborhood development area
20 ~~associated with a designated downtown development district~~. If the project
21 tract is located in one of these designated areas, an applicant who complies

1 with subdivision 6086(a)(9)(B)(iv) of this title shall deposit an offsite
2 mitigation fee into the Vermont Housing and Conservation Trust Fund
3 established under section 312 of this title for the purpose of preserving primary
4 agricultural soils of equal or greater value with the highest priority given to
5 preserving prime agricultural soils as defined by the U.S. Department of
6 Agriculture. Any required offsite mitigation fee shall be derived by:

7 (A) Determining the number of acres of primary agricultural soils
8 affected by the proposed development or subdivision.

9 (B) Multiplying the number of affected acres of primary agricultural
10 soils by a factor resulting in a ratio established as follows:

11 (i) For development or subdivision within a designated area
12 described in this subdivision (a)(1), the ratio shall be 1:1.

13 (ii) For residential construction that has a density of at least eight
14 units of housing per acre, of which at least eight units per acre or at least
15 40 percent of the units, on average, in the entire development or subdivision,
16 whichever is greater, meets the definition of affordable housing established in
17 this chapter, no mitigation shall be required, regardless of location in or outside
18 a designated area described in this subdivision (a)(1). However, all affordable
19 housing units shall be subject to housing subsidy covenants, as defined in
20 27 V.S.A. § 610, that preserve their affordability for a period of 99 years or
21 longer. As used in this section, housing that is rented shall be considered

1 affordable housing when its inhabitants have a gross annual household income
2 that does not exceed 60 percent of the county median income or 60 percent of
3 the standard metropolitan statistical area income if the municipality is located
4 in such an area.

5 (iii) For an alternative or community wastewater system that will
6 serve development within a designated area, no mitigation shall be required.

7 * * *

8 Sec. 10. 10 V.S.A. § 6090 is amended to read: - CHOICE

9 § 6090. RECORDING; DURATION AND REVOCATION OF PERMITS

10 * * *

11 (c) Change to nonjurisdictional use; release from permit.

12 (1) On an application signed by each permittee, the District Commission
13 may release land subject to a permit under this chapter from the obligations of
14 that permit and the obligation to obtain amendments to the permit and from
15 jurisdiction under this chapter on finding that the use of the land as of the date
16 of the application was for a commercial purpose and use of the land as of the
17 date of the application is for housing and would not require a permit or permit
18 amendment but for the fact that the land is already subject to a permit under
19 this chapter.

20 (2) It shall be a condition of each affirmative decision under this
21 subsection that a subsequent proposal of a development or subdivision on the

1 land to which the decision applies shall be subject to this chapter as if the land
2 had never previously received a permit under the chapter.

3 (3) An application for a decision under this subsection shall be made on
4 a form prescribed by the Board. The form shall require evidence
5 demonstrating that the application complies with subdivisions (1)(A) through
6 (C) of this subsection. The application shall be processed in the manner
7 described in section 6084 of this title and may be treated as a minor application
8 under that section. In addition to those required to be notified under section
9 6084, the District Commission shall send notice at the same time to all other
10 parties to the permit and to all current adjacent landowners.

11 **OR**

12 **Sec. 10. 10 V.S.A. § 6081 is amended to read:**

13 **§ 6081. PERMITS REQUIRED; EXEMPTIONS**

14 * * *

15 (aa) No permit amendment is required for the construction of
16 improvements for converting a structure used for a commercial purpose to 29
17 or fewer housing units.

18 **Sec. 11. 10 V.S.A. § 6081 is amended to read:**

19 **§ 6081. PERMITS REQUIRED; EXEMPTIONS**

20 * * *

1 area affected if the project has a residential component that includes affordable
2 housing.

3 * * *

4 (d) For the purposes of this section, an appeal shall not include the
5 following:

6 (1) Any residential and mixed-use development containing up to 25
7 dwelling units within areas served by municipal sewer and water infrastructure.

8 (2) Any permitted residential and mixed-use development that does not
9 require conditional use review. Development requiring conditional use review
10 may be appealed.

11 (3) Any housing or mixed-use development located within a designated
12 center in a zoning district that allows residential development.

13 Sec. 13. 10 V.S.A. § 8507 is added to read:

14 § 8507. APPEAL; BOND

15 (a) If an aggrieved person elects to appeal the judgment of the appropriate
16 municipal panel on an application for a housing project to the court under this
17 chapter, the court shall require that person give security by posting a bond to
18 the State, in a sufficient sum, as the court directs, to compensate the permit
19 applicant for:

20 (1) At least half of reasonable associated costs incurred by the permit
21 applicant as a direct result of the appeal if the appeal is denied but found to be

1 nonfrivolous. As used in this subdivision, a “frivolous appeal” means an
2 appeal that would not have a reasonable chance of success, such as an appeal
3 that is unsupported.

4 (2) All reasonable associated costs incurred by the permit applicant as a
5 direct result of the appeal as well as additional injury if the appeal is denied
6 and found to be frivolous, or returned to the appealing party if the appeal is
7 successful.

8 (b) A motion to waive the appeal bond will be allowed if the party is
9 indigent and has nonfrivolous grounds for appeal.

10 (c) As used in this section, “denied” means that the court’s decision
11 affirmed the appropriate municipal panel’s decision.

12 Sec. 17. 24 V.S.A. § 4464 is amended to read:

13 Sec. 14. 24 V.S.A. § 4428 is added to read:

14 § 4428. PARKING BYLAWS

15 (a) Parking regulation. Consistent with section 4414 of this title and with
16 this section, a municipality may regulate parking.

17 (b) Tandem parking. Tandem parking shall count toward residential
18 parking space requirements. As used in this subsection, “tandem parking”
19 means a narrow parking space that can accommodate two or more vehicles
20 parked in a single-file line.

1 (c) Parking space size standards. For the purpose of residential parking, a
2 municipality shall define a parking space as not larger than eight feet by
3 16 feet.

4 (d) Existing nonconforming parking. A municipality shall allow an
5 existing nonconforming parking space to count toward the parking requirement
6 of an existing residential building if new residential units are added to the
7 building.

8 (e) Adjacent lots. A municipality shall allow excess parking spaces in an
9 adjacent lot to count toward the parking requirement of a residential building.

10 **Sec. 15. 2023 Acts and Resolves No. 47, Sec. 1 is amended to read:**

11 **Sec. 1. 24 V.S.A. § 4414 is amended to read:**

12 **§ 4414. ZONING; PERMISSIBLE TYPES OF REGULATIONS**

13 *** * ***

14 **(4) Parking and loading facilities. A municipality may adopt provisions**
15 **setting forth standards for permitted and required facilities for off-street**
16 **parking and loading, which may vary by district and by uses within each**
17 **district. In any district that is served by municipal sewer and water**
18 **infrastructure that allows residential uses, a municipality shall not require more**
19 **than one parking space per dwelling unit. However, a municipality may**
20 **require 1.5 parking spaces for duplexes and multiunit dwellings in areas not**
21 **served by sewer and water, and in areas that are located more than one-quarter**

1 mile away from public parking. The number of parking spaces shall be
2 rounded up to the nearest whole number when calculating the total number of
3 spaces. These bylaws may also include provisions covering the location, size,
4 design, access, landscaping, and screening of those facilities. In determining
5 the number of parking spaces for nonresidential uses and size of parking
6 spaces required under these regulations, the appropriate municipal panel may
7 take into account the existence or availability of employer “transit pass” and
8 rideshare programs, public transit routes, and public parking spaces in the
9 vicinity of the development.

10 * * *

11 Sec. 16. 24 V.S.A. § 4382 is amended to read:

12 § 4382. THE PLAN FOR A MUNICIPALITY

13 (a) A plan for a municipality shall be consistent with the goals established
14 in section 4302 of this title and compatible with approved plans of other
15 municipalities in the region and with the regional plan and shall include the
16 following:

17 * * *

18 (10) A housing element that shall include a recommended program for
19 public and private actions to address housing needs as identified by the
20 regional planning commission pursuant to subdivision 4348a(a)(9) of this title.
21 The program ~~should~~ shall use data on year-round and seasonal dwellings and

1 include specific actions to address the housing needs of persons with low
2 income and persons with moderate income and account for permitted
3 residential development as described in section 4412 of this title.

4 * * *

5 Sec. 17. 24 V.S.A. § 4442 is amended to read:

6 § 4442. ADOPTION OF BYLAWS AND RELATED REGULATORY
7 TOOLS; AMENDMENT OR REPEAL

8 * * *

9 (c) Routine adoption. A bylaw, bylaw amendment, or bylaw repeal shall
10 be adopted by a majority of the members of the legislative body at a meeting
11 that is held after the final public hearing and shall be effective 21 days after
12 adoption unless, by action of the legislative body, the bylaw, bylaw
13 amendment, or bylaw repeal is warned for adoption by the municipality by
14 Australian ballot at a special or regular meeting of the municipality.

15 * * *

16 Sec. 18. APPROPRIATION

17 The sum of \$250,000.00 is appropriated from the General Fund to the
18 municipal portion of the Municipal and Regional Planning Fund established in
19 24 V.S.A. § 4306 to assist municipalities in adjusting their zoning bylaws to
20 align with 2023 Acts and Resolves No. 47, updates to the State Designation
21 Program under 24 V.S.A. chapter 76A, and Act 250 reform.

1 Sec. 19. 24 V.S.A. § 4412 is amended to read:

2 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

3 Notwithstanding any existing bylaw, the following land development
4 provisions shall apply in every municipality:

5 (1) Equal treatment of housing and required provisions for affordable
6 housing.

7 * * *

8 (D) Bylaws shall designate appropriate districts and reasonable
9 regulations for multiunit or multifamily dwellings. No bylaw shall have the
10 effect of excluding these multiunit or multifamily dwellings from the
11 municipality. In any district that allows year-round residential development,
12 duplexes shall be an allowed a permitted use with the same dimensional
13 standards as that are no more restrictive than is required for a single-unit
14 dwelling, including no additional land or lot area than would be required for a
15 single-unit dwelling.

16 **CHOICES**

17 In any district that is served by municipal sewer and water
18 infrastructure that allows residential development, multiunit dwellings with
19 four or fewer units shall be:

20 (i) a permitted use, unless that district specifically requires
21 multiunit structures to have more than four dwelling units; and

1 allowed residential use; and density a minimum lot size of one fifth of an acre.
2 Density and minimum lot size standards for duplexes and multiunit dwellings
3 shall not be more restrictive than those required for single-family dwellings.
4

5 (13) In any area served by municipal sewer and water infrastructure that
6 allows residential development, bylaws shall permit any affordable housing
7 development, as defined in subdivision 4303(2) of this title, including mixed-
8 use development, to exceed density limitations for residential developments by
9 an additional 40 percent, rounded up to the nearest whole unit, which shall
10 include exceeding maximum height limitations by one floor, provided that the
11 structure complies with the Vermont Fire and Building Safety Code.

12 (14) Any permanently affordable housing development located on land
13 owned by a religious non-profit shall be a permitted use.

14 (15) No zoning or subdivision bylaw shall have the effect of prohibiting
15 unrelated occupants from residing in the same dwelling unit.

16 Sec. 20. 24 V.S.A. § 4413 is amended to read:

17 § 4413. LIMITATIONS ON MUNICIPAL BYLAWS

18 (a)(1) The following uses may be regulated only with respect to location,
19 size, height, building bulk, yards, courts, setbacks, density of buildings, off-
20 street parking, loading facilities, traffic, noise, lighting, landscaping, and

1 screening requirements, and only to the extent that regulations do not have the
2 effect of interfering with the intended functional use:

3 (A) State- or community-owned, ~~and~~ -operated, or -funded
4 institutions ~~and~~ or facilities, or institutions or facilities that may be privately
5 held, but serve a public function;

6 (B) public and private schools and other educational institutions
7 certified by the Agency of Education;

8 (C) churches and other places of worship, convents, and parish
9 houses;

10 (D) public and private hospitals;

11 (E) regional solid waste management facilities certified under
12 10 V.S.A. chapter 159;

13 (F) hazardous waste management facilities for which a notice of
14 intent to construct has been received under 10 V.S.A. § 6606a; ~~and~~

15 (G) emergency shelters; and

16 (H) hotels and motels converted to permanently affordable housing
17 developments.

18 * * *

19 Sec. 23. 24 V.S.A. § 4429 is added to read:

20 § 4429. LOT COVERAGE BYLAWS

1 Act 250 review of municipal impacts are not subject to appeal but shall serve
2 as presumptions under chapter 151 of this title.

3 (2) Notwithstanding subdivision (1) of this subsection, an interested
4 person may appeal an act or decision under 24 V.S.A. chapter 117 if the
5 Environmental judge determines that:

6 (A) there was a procedural defect that prevented the person from
7 obtaining interested person status or participating in the proceeding;

8 (B) the decision being appealed is the grant or denial of interested
9 person status; or

10 (C) some other condition exists that would result in manifest injustice
11 if the person’s right to appeal was disallowed.

12 * * *

13 Sec. 24. SUPERIOR COURT; POSITION; APPROPRIATION

14 (a) There is established one permanent judge in the Superior Court in fiscal
15 year 2025.

16 (b) In fiscal year 2025, the sum of \$168,000.00 from the General Fund is
17 appropriated to the Superior Court for the new judge created in subsection (a).

18 * * * Downtown Tax Credits * * *

19 Sec. 25. 32 V.S.A. § 5930ee is amended to read:

20 § 5930ee. LIMITATIONS

1 Beginning in fiscal year 2010 and thereafter, the State Board may award tax
2 credits to all qualified applicants under this subchapter, provided that:

3 (1) the total amount of tax credits awarded annually, together with sales
4 tax reallocated under section 9819 of this title, does not exceed ~~\$3,000,000.00~~
5 \$5,000,000.00;

6 * * *

7 * * * New Act 250 Tiers * * *

8 Sec. 26. 10 V.S.A. § 6001 is amended to read:

9 § 6001. DEFINITIONS

10 As used in this chapter:

11 * * *

12 (3)(A) “Development” means each of the following:

13 * * *

14 (vi) The construction of improvements for commercial, industrial,
15 or residential use at or above the elevation of 2,500 feet or in or within a Tier 3
16 area.

17 * * *

18 (xii) The construction of a road, roads, driveway, or driveways,
19 which in combination is greater than 2,000 feet, to provide access to or within
20 a tract or tracts of land of more than one acre owned or controlled by a person.

1 (I) For the purposes of determining jurisdiction under this
2 subdivision (x), any tract or tracts of land that will be provided access by the
3 road or driveway is involved land.

4 (II) As used in this subdivision (x), “road” shall include any
5 new road or upgrade of a Class 4 highway by a person other than a
6 municipality, including a road that will be transferred to or maintained by a
7 municipality after its construction or upgrade. For the purposes of this
8 subdivision (II), routine maintenance of a Class 4 highway or stormwater
9 improvement required pursuant to section 1264 of this title shall not constitute
10 an “upgrade.”

11 (aa) Routine maintenance shall include replacing a culvert
12 or ditch, applying new stone, grading, or making repairs after adverse weather.

13 (bb) Routine maintenance shall not include changing the
14 size of the road, changing the location or layout of the road, or adding
15 pavement.

16 (III) For the purpose of determining the length under this
17 subdivision, the length of all roads and driveways within the tract or tracts of
18 land constructed within any continuous period of 10 years after October 1,
19 2024 shall be included.

20 (IV) This subdivision (x) shall not apply to

1 (aa) a road constructed for a municipal, county, or State
2 purpose; a utility corridor of an electric transmission or distribution company;
3 or a road located entirely within in a designated downtown or neighborhood
4 development area.

5 (bb) a road used primarily for farming or forestry purposes
6 unless used for residential purpose.

7 * * *

8 (50) “Tier 1A” means an area as defined by the Board and mapped by
9 the regional land use maps.

10 (51) “Tier 1B” means an area as defined by the Board and mapped by
11 the regional land use maps.

12 (52) “Tier 2” means an area that is not in Tier 1A, 1B, or 3.

13 (53) “Tier 3” means an area as defined by the Board and mapped by the
14 regional land use maps, that contains ecologically important natural resources.
15 The definition may include features such as river corridors, significant
16 wetlands as defined under section 902 of this title, land at or above 2,000 feet,
17 land characterized by slopes greater than 15 percent and shallow depth to
18 bedrock, and areas with any amount of prime agricultural soil.

19 Sec. 27. 10 V.S.A. § 6032 is added to read:

20 § 6032. DESIGNATION OF TIERS 1A, 1B, AND 3

1 (a) On or before October 1, 2025, the Board shall adopt rules establishing
2 the process for designating Tier 1A and Tier 1B areas. The rules shall at a
3 minimum include provisions for the following:

4 (1) Municipalities develop the application for designation under either
5 Tier and submit it to the Regional Planning Commission for comment and
6 approval. The Regional Planning Commission shall then review the proposal
7 to ensure it is consistent with the regional plan, and provide additional
8 technical input and advice as needed to improve the application.

9 (2) If the Regional Planning Commission concurs with the
10 municipality’s application, the municipality would submit the application to
11 the Board for approval. During this review, the Regional Planning
12 Commission’s concurrence would create a presumption that the application is
13 consistent with the regional plan

14 (3) If the Regional Planning Commission raises objections to the
15 municipality’s application, the municipality may choose to rework the
16 application and resubmit it to the Regional Planning Commission or go ahead
17 and submit the application for review by the Board without Regional Planning
18 Commission approval. In the later instance, the municipality would have to
19 demonstrate to the Board that the application is consistent with the regional
20 plan and explain why it chose not to re-work its application.

1 (4) The Board would oversee a public review process, provide
2 opportunities for comment, and then issue a determination on the application.

3 (5) There shall be a process for challenging and appealing designation
4 decisions at the time of the certification or re- certification.

5 (6) Municipalities that apply for Tier 1 designated areas, but do not
6 succeed, may subsequently re-apply.

7 (7) Municipalities that have designated areas approved for Tier 1B
8 status can later apply for designating the areas Tier 1A. Municipalities can
9 modify their approved plans and re-apply.

10 (8) Tier 1A or 1B area designation must be reviewed and re-certified
11 every 8 years.

12 (b) The Board’s rules shall establish qualifications for Tier 1A and Tier 1B,
13 which shall at a minimum include:

14 (1) A municipal plan that is approved in accordance with 24 V.S.A.
15 § 4350.

16 (2) Municipal flood hazard planning, applicable to the entire
17 municipality, in accordance with 24 V.S.A. V.S.A. § 4382(12) and the
18 guidelines issued by the Department pursuant to 24 V.S.A. § 2792(d).

19 (3) Flood hazard and river corridor bylaws, applicable to the entire
20 municipality, that are consistent with the standards established pursuant to

1 subsection 755(b) of this title (flood hazard) and subsection 1428(b) of this
2 title (river corridor).

3 (4) Permanent zoning and subdivision bylaws that do not include broad
4 exemptions that exclude significant private or public land development from
5 requiring a municipal land use permit.

6 (5) Permitted water and wastewater systems with the capacity to support
7 additional development within the planned growth area. The municipality
8 shall have adopted consistent policies, by municipal plan and ordinance, on the
9 allocation, connection, and extension of water and wastewater lines that
10 include a defined service area to support the planned growth area.

11 (6) Municipal staff adequate to support coordinated comprehensive and
12 capital planning, development review, and zoning administration in the
13 planned growth area.

14 (7) The applicable regional plan has been approved by the Board.

15 (8) Tier 1A shall additional requirements.

16 (c) On or before October 1, 2025, the Board shall adopt rules establishing
17 the process for designating Tier 3 areas. The rules shall at a minimum include
18 provisions for the following:

19 (1) Each respective Regional Planning Commission would recommend a
20 mapping process for identifying Tier 3 areas. This shall include a process for
21 reviewing existing maps, such as Vermont Conservation Design and other

1 available science-based resources, a process for public comment, and
2 authorization of a statewide board to review and approve Tier 3 designations.

3 (2) Each Regional Planning Commission would be primarily responsible
4 for conducting the mapping, in consultation with municipalities, based on
5 consistent and robust standards, and with additional resources and technical
6 support from the state. The Regional Planning Commissions would submit
7 their maps to the Board for approval through a public process, with
8 opportunities for public comment and appeal. Municipalities shall have an
9 opportunity to oppose or appeal the Regional Planning Commission’s
10 proposed maps if they disagree with the Regional Planning Commission’s
11 determinations.

12 Sec. 28. 24 V.S.A. § 4382 is amended to read:

13 § 4382. THE PLAN FOR A MUNICIPALITY

14 (a) A plan for a municipality shall be consistent with the goals established
15 in section 4302 of this title and compatible with approved plans of other
16 municipalities in the region and with the regional plan and shall include the
17 following:

18 * * *

19 (2) A land use plan, which shall consist of a map and statement of
20 present and prospective land uses, that:

21 * * *

1 (C) Identifies those areas, if any, proposed for designation under
2 chapter 76A of this title or 10 V.S.A. § 6032, together with, for each area
3 proposed for designation, an explanation of how the designation would further
4 the plan’s goals and the goals of section 4302 of this title; and how the area
5 meets the requirements for the type of designation to be sought.

6 * * *

7 Sec. 29. 10 V.S.A. § 6081 is amended to read:

8 § 6081. PERMITS REQUIRED; EXEMPTIONS

9 * * *

10 (z) Tier exemptions.

11 (1) Notwithstanding any other provision of this chapter to the contrary,
12 no permit or permit amendment is required for any subdivision, development,
13 or change to an existing project that is located entirely within a Tier 1A area
14 designated under section 6032 of this chapter.

15 (2) Notwithstanding any other provision of this chapter to the contrary,
16 no permit or permit amendment is required for 50 units or fewer of housing
17 located entirely within a Tier 1B area designated under section 6032 of this
18 chapter.

19 (3) No permit or permit amendment is required for a development or
20 subdivision located within a **transportation corridor**.

1 (3) “Exemption period” has the same meaning as in subsection 3871(d)
2 of this subchapter.

3 (4) “New construction” means the building of new dwellings.

4 (5) “Principal residence” means the dwelling occupied by a resident
5 individual as the individual’s domicile during the taxable year and for a
6 property owner, owned, or for a renter, rented under a rental agreement other
7 than a short-term rental as defined under 18 V.S.A. § 4301(a)(14).

8 (6)(A) “Qualifying improvement” means new construction or a physical
9 change to an existing dwelling or other structure beyond normal and ordinary
10 maintenance, painting, repairs, or replacements, provided the change:

11 (i) results in new or rehabilitated dwellings that are designed to be
12 occupied as principal residences and not as short-term rentals as defined under
13 18 V.S.A. § 4301(a)(14); and

14 (ii) occurred through new construction, rehabilitation, or both
15 during the 12 months immediately preceding or immediately following
16 submission of an exemption application under this subchapter.

17 (B) “Qualifying improvement” does not mean new construction or a
18 physical change to any portion of a mixed-use building as defined under
19 10 V.S.A. § 6001(28) that is not used as a principal residence.

20 (7)(A) “Qualifying property” means a structure that is:

1 (i) located within a designated downtown district, village center,
2 or neighborhood development area determined pursuant to 24 V.S.A. chapter
3 76A or a new market tax credit area determined pursuant to 26 U.S.C. § 45D,
4 or both;

5 (ii) composed of one or more dwellings designed to be occupied
6 as principal residences, provided:

7 (I) none of the dwellings shall be occupied as short-term rentals
8 as defined under 18 V.S.A. § 4301(a)(14) before the exemption period ends;
9 and

10 (II) a structure with more than one dwelling shall only qualify
11 if it meets the definition of mixed-income housing under 10 V.S.A.
12 § 6001(27);

13 (iii) undergoing, has undergone, or will undergo qualifying
14 improvements; and

15 (iv) in compliance with all relevant permitting requirements.

16 (B) “Qualifying property” may have a mixed use as defined under
17 10 V.S.A. § 6001(28).

18 (C) “Qualifying property” does not mean property located within a
19 tax increment financing district established under 24 V.S.A. chapter 53,
20 subchapter 5.

1 (8) “Rehabilitation” means extensive repair, reconstruction, or
2 renovation of an existing dwelling or other structure, with or without
3 demolition, new construction, or enlargement, provided the repair,
4 reconstruction, or renovation:

5 (A) is for the purpose of eliminating substandard structural, housing,
6 or unsanitary conditions or stopping significant deterioration of the existing
7 structure; and

8 (B) equals or exceeds a total cost of 15 percent of the grand list value
9 prior to repair, reconstruction, or renovation or \$75,000.00, whichever is less.

10 (9) “Taxable value” means the value of qualifying property that is taxed
11 during the exemption period.

12 § 3871. EXEMPTION

13 (a) Value increase exemption. An increase in the appraisal value of a
14 qualifying property due to qualifying improvements shall be exempted from
15 property taxation pursuant to this subchapter by fixing and maintaining the
16 taxable value of the qualifying property at the property’s grand list value in the
17 year immediately preceding any qualifying improvements. A decrease in
18 appraisal value of a qualifying property due to damage or destruction from fire
19 or act of nature may reduce the qualifying property’s taxable value below the
20 value fixed under this subsection.

1 (b) State education property tax exemption. The appraisal value of
2 qualifying improvements to qualifying property shall be exempt from the State
3 education property tax imposed under chapter 135 of this title as provided
4 under this subchapter. The appraisal value exempt under this subsection shall
5 not be exempt from municipal property taxation unless the qualifying property
6 is located in a municipality that has voted to approve an exemption under
7 subsection (c) of this section.

8 (c) Municipal property tax exemption. If the legislative body of a
9 municipality by a majority vote recommends, the voters of a municipality may,
10 at an annual or special meeting warned for that purpose, adopt by a majority
11 vote of those present and voting an exemption from municipal property tax for
12 the value of qualifying improvements to qualifying property exempt from State
13 property taxation under subsection (b) of this section. The municipal
14 exemption shall remain in effect until rescinded in the same manner the
15 exemption was adopted. Not later than 30 days after the adjournment of a
16 meeting at which a municipal exemption is adopted or rescinded under this
17 subsection, the town clerk shall report to the Director of Property Valuation
18 and Review and the Agency the date on which the exemption was adopted or
19 rescinded.

20 (d) Exemption period.

1 (1) An exemption under this subchapter shall start in the first property
2 tax year immediately following the year in which an application for exemption
3 under section 3872 of this title is approved and one of the following occurs:

4 (A) issuance of a certificate of occupancy by the municipal governing
5 body for the qualifying property; or

6 (B) the property owner’s declaration of ownership of the qualifying
7 property as a homestead pursuant to section 5410 of this title.

8 (2) An exemption under this subchapter shall remain in effect for five
9 years, provided the property continues to comply with the requirements of this
10 subchapter. When the exemption period ends, the property shall be taxed at its
11 most recently appraised grand list value.

12 (3) The municipal exemption period for a qualifying property shall start
13 and end at the same time as the State exemption period; provided that, if a
14 municipality first votes to approve a municipal exemption after the State
15 exemption period has already started for a qualifying property, the municipal
16 exemption shall only apply after the vote and notice requirements have been
17 met under subsection (c) of this section and shall only continue until the State
18 exemption period ends.

19 § 3872. ADMINISTRATION AND CERTIFICATION

20 (a) To be eligible for exemption under this subchapter, a property owner
21 shall:

1 (1) submit an application to the Agency of Commerce and Community
2 Development in the form and manner determined by the Agency, including
3 certification by the property owner that the property and improvements qualify
4 for exemption at the time of application and annually thereafter until the
5 exemption period ends; and

6 (2) the certification shall include an attestation under the pains and
7 penalties of perjury that the property will be used in the manner provided under
8 this subchapter during the exemption period, including occupancy of dwellings
9 as principal residences and not as short-term rentals as defined under 18 V.S.A.
10 § 4301(a)(14), and that the property owner will either provide alternative
11 housing for tenants at the same rent or that the property has been unoccupied
12 either by a tenant’s choice or for 60 days prior to the application. A
13 certification by the property owner granted under this subdivision shall:

14 (A) be coextensive with the exemption period;

15 (B) require notice to the Agency of the transfer or assignment of the
16 property prior to transfer, which shall include the transferee’s or assignee’s full
17 names, phone numbers, and e-mail and mailing addresses;

18 (C) require notice to any prospective transferees or assignees of the
19 property of the requirements of the exemption under this subchapter; and

20 (D) require a new certification to be signed by the transferees or
21 assignees of the property.

1 (b) The Agency shall establish and make available application forms and
2 procedures necessary to verify initial and ongoing eligibility for exemption
3 under this subchapter. Not later than 60 days after receipt of a completed
4 application, the Agency shall determine whether the property and any proposed
5 improvements qualify for exemption and shall issue a written decision
6 approving or denying the exemption. The Agency shall notify the property
7 owner, the municipality where the property is located, and the Commissioner
8 of Taxes of its decision.

9 (c) If the property owner fails to use the property according to the terms of
10 the certification, the Agency shall, after notifying the property owner,
11 determine whether to revoke the exemption. If the exemption is revoked, the
12 Agency shall notify the property owner, the municipality where the property is
13 located, and the Commissioner of Taxes. Upon notification of revocation, the
14 Commissioner shall assess to the property owner:

15 (1) all State and municipal property taxes as though no exemption had
16 been approved, including for any exemption period that had already begun;
17 and

18 (2) interest pursuant to section 3202 of this title on previously exempt
19 taxes.

20 (d) No new applications for exemption shall be approved pursuant to this
21 subchapter after December 31, 2027.

1 Sec. 32. 32 V.S.A. § 4152(a) is amended to read:

2 (a) When completed, the grand list of a town shall be in such form as the
3 Director prescribes and shall contain such information as the Director
4 prescribes, including:

5 * * *

6 (6) For those parcels that are exempt, the insurance replacement value
7 reported to the local assessing officials by the owner under section 3802a of
8 this title or what the full listed value of the property would be absent the
9 exemption and the statutory authority for granting such exemption and, for
10 properties exempt pursuant to a vote, the year in which the exemption became
11 effective and the year in which the exemption ends; provided that, for parcels
12 exempt under chapter 125, subchapter 3 of this title, the insurance replacement
13 value shall not be substituted for the full listed value of the property absent the
14 exemption and the grand list shall indicate whether the exemption applies to
15 the State property tax or both the State and municipal property taxes.

16 * * *

17 Sec. 33. REPEALS; NEW CONSTRUCTION OR REHABILITATION

18 EXEMPTION

19 The following are repealed on July 1, 2037:

20 (1) 32 V.S.A. § 3800(q) (statutory purpose); and

1 (27)(A) Transfers of blighted dwellings that the transferee certifies will
2 be rehabilitated for occupancy as principal residences and not as short-term
3 rentals as defined under 18 V.S.A. § 4301(a)(14), provided the rehabilitation is
4 completed and occupied not later than three years after the date of the transfer.
5 If, three years after the date of transfer, the rehabilitation has not been
6 completed and occupied, then the tax imposed by this chapter shall become
7 due.

8 (B) As used in this subdivision (27):

9 (i) “Blighted” means substandard structural or housing conditions,
10 including unsanitary and unsafe dwellings and deterioration sufficient to
11 constitute a threat to human health, safety, and public welfare.

12 (ii) “Completed” means rehabilitation of a dwelling to be fit for
13 occupancy as a principal residence.

14 (iii) “Principal residence” means a dwelling occupied by a resident
15 individual as the individual’s domicile during the taxable year and for a
16 property owner, owned, or for a renter, rented under a rental agreement other
17 than a short-term rental as defined under 18 V.S.A. § 4301(a)(14).

18 (iv) “Rehabilitation” means extensive repair, reconstruction, or
19 renovation of an existing dwelling beyond normal and ordinary maintenance,
20 painting, repairs, or replacements, with or without demolition, new
21 construction, or enlargement.

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* * * H.166 * * *

Sec. 36. 32 V.S.A. § 5811(21)(C) is amended to read:

(C) decreased by the following exemptions and deductions:

* * *

(iv) an amount equal to the itemized deduction for medical expenses taken at the federal level by the taxpayer, under 26 U.S.C. § 213:

~~(H) minus the amount of the Vermont standard deduction and Vermont personal exemptions taken by the taxpayer under this subdivision (C); and~~

~~(H) minus any amount deducted at the federal level that is attributable to the payment of an entrance fee or recurring monthly payment made to a continuing care retirement community regulated under 8 V.S.A. chapter 151, which exceeds the deductibility limits for premiums paid during the taxable year on qualified long-term care insurance contracts under 26 U.S.C. 213(d)(10)(A).~~

* * * Vermont Rental Housing Improvement Program * * *

Sec. 39. 10 V.S.A. § 699 is amended to read:

§ 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

(a) Creation of Program.

(1) The Department of Housing and Community Development shall design and implement the Vermont Rental Housing Improvement Program,

1 through which the Department shall award funding to statewide or regional
2 nonprofit housing organizations, or both, to provide ~~competitive grants and~~
3 forgivable loans to private landlords for the rehabilitation, including
4 weatherization and accessibility improvements, of eligible rental housing units.

5 (2) The Department shall develop statewide standards for the Program,
6 including factors that partner organizations shall use to evaluate applications
7 and award ~~grants and~~ forgivable loans.

8 (3) A landlord shall not offer a unit created through the Program as a
9 short-term rental, as defined in 18 V.S.A. § 4301, for the period a grant or loan
10 agreement is in effect.

11 (4) The Department may utilize a reasonable percentage of
12 appropriations made to the Department for the Program to administer the
13 Program.

14 (5) The Department may cooperate with and subgrant funds to State
15 agencies and political subdivisions and public and private organizations in
16 order to carry out the purposes of this subsection.

17 (b) Eligible rental housing units. The following units are eligible for a
18 ~~grant or~~ forgivable loan through the Program:

19 (1) Non-code compliant.

1 (B) A landlord who converts a grant to a forgivable loan shall receive
2 a ~~10 percent~~ prorated credit for loan forgiveness for each year in which the
3 landlord participates in the ~~grant~~ program.

4 (f) Requirements applicable to 10-year forgivable loans. For a 10-year
5 forgivable loan awarded through the Program, the following requirements
6 apply for a minimum period of 10 years:

7 * * *

8 Sec. 40. VERMONT RENTAL HOUSING IMPROVEMENT

9 APPROPRIATION

10 The sum of \$6,000,000.00 is appropriated from the General Fund to the
11 Department of Housing and Community Development in fiscal year 2025 for
12 the Vermont Housing Improvement Program established in 10 V.S.A. § 699.

13 * * * Manufactured Home Improvement and Repair Program * * *

14 Sec. 41. 2022 Acts and Resolves No. 182, Sec. 3, as amended by 2023 Acts
15 and Resolves No. 3, Sec. 75 and 2023 Acts and Resolves No. 78, Sec. C.119,
16 is further amended to read:

17 Sec. 3. MANUFACTURED HOME IMPROVEMENT AND

18 REPLACEMENT PROGRAM

19 (a) Of the amounts available from the American Rescue Plan Act (ARPA)
20 recovery funds, \$4,000,000 is appropriated to the Department of Housing and
21 Community Development for the purposes specified:

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* * *

(b) The Department administers the Manufactured Home Improvement and Repair Program and may utilize a reasonable percentage of appropriations made to the Department for the Program to administer the Program. The Department may cooperate with and subgrant funds to State agencies and political subdivisions and public and private organizations in order to carry out the purposes of subsection (a) of this section.

Sec. 42. MANUFACTURED HOME IMPROVEMENT AND REPAIR
PROGRAM APPROPRIATION

The sum of \$2,000,000.00 is appropriated from the General Fund to the Department of Housing and Community Development in fiscal year 2025 for the Manufactured Home Improvement and Repair Program established by 2022 Acts and Resolves No. 182, Sec. 3, and amended from time to time.

* * * Healthy Homes Initiative * * *

Sec. 43. HEALTHY HOMES INITIATIVE APPROPRIATION

The sum of \$1,000,000.00 is appropriated from the General Fund to the Department of Environmental Conservation in fiscal year 2025 for the Healthy Homes Initiative.

* * * Housing Infrastructure Revolving Loan Fund * * *

Sec. 44. HOUSING INFRASTRUCTURE REVOLVING LOAN PROGRAM

1 (a) Creation; administration. The Vermont Housing Finance Agency shall
2 design and implement a Housing Infrastructure Revolving Loan Program and
3 shall create and administer a revolving loan fund to provide low- to no-interest
4 loans to developers of residential units and municipalities of jurisdiction for
5 investments in infrastructure to support the construction of housing and mixed-
6 use developments. The Agency may utilize a reasonable percentage of
7 appropriations made to the Agency for the Program to administer the Program.
8 The Agency may cooperate with and subgrant funds to State agencies and
9 political subdivisions and public and private organizations in order to carry out
10 the purposes of this section.

11 (b) Loans; maximum interest rate. The Agency shall determine the term
12 and interest rate of a loan. In no case shall the interest rate of a loan offered
13 under the Program exceed one and a half percent per annum.

14 (c) Program design. When designing and implementing the Program, the
15 Agency shall consult stakeholders and experts in the field.

16 (d) Revolving funds. The Agency shall retain payments of principal,
17 interest, and any fees in a revolving loan fund, the amounts of which it shall
18 use to issue future loans through the Program.

19 Sec. 45. HOUSING INFRASTRUCTURE REVOLVING LOAN FUND

20 APPROPRIATION

1 (d) The total amount of subsidies for a project shall not exceed 35 percent
2 of eligible development costs, as determined by the Agency, which the Agency
3 may allocate consistent with the following:

4 * * *

5 (2) Affordability subsidy. Of any remaining amounts available for the
6 project after the developer subsidy, the Agency may provide a subsidy for the
7 benefit of the homebuyer to reduce the cost of purchasing the home, provided
8 that:

9 (A) the Agency includes conditions in the subsidy, or uses another
10 legal mechanism, to ensure that, to the extent the home value has risen, the
11 amount of the subsidy remains with the home to offset the cost to future
12 income-eligible homebuyers; ~~or~~

13 (B) the Agency recaptures the subsidy upon sale of the home and
14 uses it for future awards under this Program; or

15 (C) the subsidy is subject to a housing subsidy covenant, as defined
16 in 27 V.S.A. § 610, that preserves the affordability of the home for a period of
17 99 years or longer.

18 (3) The Agency shall allocate not less than 33 percent of the funds
19 available through the Program to projects that include a housing subsidy
20 covenant consistent with subdivision (2)~~(B)~~(C) of this subsection.

21 * * *

1 Sec. 48. VERMONT AFFORDABLE HOME DEVELOPMENT PROGRAM
2 APPROPRIATION

3 The sum of \$5,000,000.00 is appropriated from the General Fund to the
4 Vermont Housing Finance Agency in fiscal year 2025 for the Vermont
5 Affordable Home Development Program established by 2022 Acts and
6 Resolves No. 182, Sec. 11, as amended from time to time.

7 * * *Land Bank Study * * *

8 Sec. 49. MUNICIPAL AND REGIONAL LAND BANKS; STUDY

9 (a) Creation. There is created a Municipal and Regional Land Bank Study
10 Committee to review and consider models for creating municipal or regional
11 land banks, the purposes of which are to acquire and transfer for the purpose of
12 revitalization blighted properties and underperforming real estate assets in
13 Vermont communities.

14 (b) Membership. The Committee is composed of the following members:

15 (1) one current member of the House of Representatives, who shall be
16 appointed by the Speaker of the House;

17 (2) one current member of the Senate, who shall be appointed by the
18 Committee on Committees;

19 (3) three municipal leaders with geographic diversity appointed by
20 {whomever};

21 (4) realtors appointed by {whomever};

1 (5) a representative of Habitat for Humanity appointed by {whomever};

2 (6) a representative of the Vermont Regional Planning Commissions
3 appointed by {whomever};

4 (7) a representative of an affordable housing nonprofit appointed by
5 {whomever};

6 (c) Powers and duties. The Committee shall study models for creating
7 municipal or regional land banks and other alternative measures for floodplain
8 management, including the following issues:

9 (1) best practices for land banks in the State;

10 (2) obstacles to developing land banks in the State;

11 (3) whether and how land banks and other revitalization tools may
12 facilitate emergency land exchange to permit residents to remain in their home
13 towns; and

14 (4) creating a municipal tool for residual value life estates to balance
15 residents' needs to remain at home while facilitating long-term movement out
16 of floodplains.

17 (d) Assistance. The Committee shall have the administrative, technical,
18 and legal assistance of [named entity].

19 (e) Report. On or before December 15, 2024, the Task Force shall report to
20 the Senate Committee on Economic Development, Housing and General

1 Affairs with its findings and any recommendations for legislative action, which
2 may be in the form of proposed legislation.

3 (f) Meetings.

4 (1) [Person] shall call the first meeting of the Committee to occur on or
5 before [date].

6 (2) The Committee shall select a chair from among its members at the
7 first meeting.

8 (3) A majority of the membership shall constitute a quorum.

9 (4) The Committee shall cease to exist upon submission of its findings
10 and any recommendations for legislative action.

11 (g) Compensation and reimbursement.

12 (1) For attendance at meetings during adjournment of the General
13 Assembly, a legislative member of the Committee serving in his or her
14 capacity as a legislator shall be entitled to per diem compensation and
15 reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than 6
16 meetings.

17 (2) Other members of the Committee shall be entitled to per diem
18 compensation and reimbursement of expenses as permitted under 32 V.S.A.
19 § 1010 for not more than 6 meetings

20 (3) Payments to members of the Committee authorized under this
21 subsection shall be made from monies appropriated to the General Assembly.

1 (iv) whether an application has already received an investment or
2 is from an applicant in a community that has already received Program
3 funding.

4 ~~(3) The Agency shall use its best efforts to ensure:~~

5 ~~(A) that investments awarded are targeted to the geographic~~
6 ~~communities or regions with the most pressing economic and employment~~
7 ~~needs; and~~

8 ~~(B) that the allocation of investments provides equitable access to the~~
9 ~~benefits to all eligible geographical areas.~~

10 * * *

11 Sec. 51. REPEAL

12 2023 Acts and Resolves No. 47, Sec. 37 (middle-income homeownership;
13 implementation) is repealed.

14 * * * Rental Registry * * *

15 Sec. 52. 3 V.S.A. § 2478 is added to read:

16 § 2478. STATE RENTAL HOUSING REGISTRY; HOUSING DATA

17 (a) The Department of Housing and Community Development, in
18 coordination with the Division of Fire Safety, the Department of Health, the
19 Enhanced 911 Board, and the Department of Taxes, shall create and maintain a
20 registry of the rental housing in this State, which includes a “dwelling unit” as

1 defined in 9 V.S.A. § 4451 and a “short-term rental” as defined in 18 V.S.A.
2 § 4301.

3 (b) The Department of Housing and Community Development shall require
4 for each unit that is registered the following data:

5 (1) the name of the owner or landlord;

6 (2) phone number, electronic mail, and mailing address of the landlord,

7 as available;

8 (3) location of the unit;

9 (4) year built;

10 (5) type of rental unit;

11 (6) number of units in the building;

12 (7) school property account number;

13 (8) accessibility of the unit; and

14 (9) any other information the Department deems appropriate.

15 (c) Upon request of the Department of Housing and Community
16 Development, and at least annually, a municipal, district, or other local
17 government entity that operates a rental housing health and safety program that
18 requires registration of a rental housing unit and a fee for inclusion on the
19 registry shall provide to the Department the data for each unit that is required
20 pursuant to subsection (b) of this section.

1 (d) The registry, and data collected by the registry, shall be protected
2 pursuant to 1 V.S.A. § 317(c)(2) and may only be released to specifically
3 designated persons who, in the discretion of the Department, shall use such
4 data to further the public good. Registry data may not be disclosed to entities
5 for the purposes of solicitation campaigns without express authority granted by
6 the Department. Data about a specific unit may be disclosed to the owner or
7 operator of the rental unit regulated by the registry for the purpose of
8 informing the owner or operator of its registry status.

9 Sec. 53. 3 V.S.A. § 2479 is added to read:

10 § 2479. RENTAL HOUSING REGISTRATION

11 (a) Except as provided in subsection (c) of this section, an owner of rental
12 housing that is subject to 9 V.S.A. chapter 137 shall:

13 (1) file with the Department of Taxes the landlord certificate required
14 for the renter’s rebate or the renter credit program; and

15 (2) within 30 days after filing the certificate, register, provide the
16 information required by subsection 2478(b) of this title, and pay to the
17 Department of Housing and Community Development an annual registration
18 fee of \$35.00 per rental unit unless the owner has within the preceding
19 12 months:

20 (A) registered the unit pursuant to subsection (b) of this section; or

1 (B) registered the unit with a municipal, district, or other local
2 government entity that operates a rental housing health and safety program
3 with a rental registry that complies with subsection 2478(b) of this title.

4 (b) Except as provided in subsection (c) of this section, an owner of a
5 short-term rental, as defined in 18 V.S.A. § 4301, shall, annually, within
6 30 days after renting a unit, register with and pay to the Department of
7 Housing and Community Development an annual registration fee of \$35.00 per
8 rental unit unless the owner has within the preceding 12 months:

9 (1) registered the unit pursuant to subsection (a) of this section; or

10 (2) registered the unit with a municipal, district, or other local
11 government entity that operates a rental housing health and safety program
12 with a rental registry that complies with subsection 2478(b) of this title.

13 (c)(1) An owner of a mobile home lot within a mobile home park who has
14 registered the lot with the Department of Housing and Community
15 Development and who does not own a mobile home on the lot is exempt from
16 registering the lot pursuant to this section.

17 (2) An owner of a mobile home lot within a mobile home park who has
18 registered the lot with the Department and who owns a mobile home on the lot
19 that is available for rent or rented shall register the property with the
20 Department and pay a fee equal to the fee required by subdivision (a)(2) of this

1 section less any fee paid within the previous 12 months pursuant to 10 V.S.A.
2 § 6254(c).

3 (3) An owner of a mobile home who rents the mobile home, whether
4 located in a mobile home park, shall register pursuant to this section.

5 (d) An owner of rental housing who fails to register pursuant to this section
6 shall pay a late registration fee of \$150.00 and may be subject to administrative
7 penalties not to exceed \$5,000.00 for each violation.

8 (e) The Department of Housing and Community Development shall
9 maintain the registration fees collected pursuant to this section in a special
10 fund entitled the Rental Housing Safety Special Fund, the proceeds of which
11 the Department shall use:

12 (1) to hire authorized staff to administer the registry and registration
13 requirements imposed in this section and in section 2478 of this title; and

14 (2) to provide funding to the Department of Public Safety to staff
15 positions authorized to conduct rental housing health and safety inspections
16 and enforcement pursuant to 20 V.S.A. chapter 172.

17 Sec. 54. DEPARTMENT OF HOUSING AND COMMUNITY

18 DEVELOPMENT; POSITIONS

19 (a) The Department of Housing and Community Development is
20 authorized to create one full-time classified position and one half-time

1 classified position to administer and enforce the registry requirements created
2 in 3 V.S.A. § 2478.

3 (b) In fiscal year 2025, the amount of \$200,000.00 is appropriated from the
4 General Fund to the Department of Housing and Community Development as
5 one-time startup funding to hire one or more of the positions authorized
6 pursuant to subsection (a) of this section.

7 (c) The Department may hire additional staff authorized by this section to
8 the extent funds become available from the Rental Housing Safety Special
9 Fund created and maintained pursuant to 3 V.S.A. § 2479.

10 Sec. 55. 32 V.S.A. § 6069 is amended to read:

11 § 6069. LANDLORD CERTIFICATE

12 (a) On or before January 31 of each year, the owner of land rented as a
13 portion of a homestead in the prior calendar year shall furnish a certificate of
14 rent to the Department of Taxes and to each claimant who owned a portion of
15 the homestead and rented that land as a portion of a homestead in the prior
16 calendar year. The certificate shall indicate the proportion of total property tax
17 on that parcel that was assessed for municipal property tax and for statewide
18 property tax.

19 * * *

20 (f) Annually on or before October 31, the Department shall prepare and
21 make available to ~~a member of the public~~ ~~upon request~~ a database in the form

1 of a sortable spreadsheet that contains the following information for each rental
2 unit for which the Department received a certificate pursuant to this section:

3 (1) name of owner or landlord;

4 (2) phone number, e-mail address, and mailing address of landlord, as
5 available;

6 (3) location of rental unit;

7 (4) type of rental unit;

8 (5) number of units in building; ~~and~~

9 (6) School Property Account Number;

10 (7) year built;

11 (8) accessibility of rental unit; and

12 (9) any other information the Department deems appropriate.

13 * * * Short-Term Rental Safety Regulation * * *

14 Sec. 56. 18 V.S.A. § 4303 is amended to read:

15 § 4303. RULEMAKING

16 (a) The Commissioner shall adopt rules pursuant to 3 V.S.A. chapter 25 to
17 establish minimum standards for the safe and sanitary operation of food or
18 lodging establishments, ~~or children's camps,~~ short-term rentals, or any
19 combination thereof and for their administration and enforcement. The rules
20 shall require that an establishment or short-term rental be constructed,

1 maintained, and operated with strict regard for the health of the employees and
2 the public pursuant to the following general requirements:

3 * * *

4 (6) There shall be proper operation and maintenance of pools, recreation
5 water facilities, spas, and related facilities within lodging establishments and
6 short-term rentals.

7 (7) The Commissioner may adopt any other minimum conditions
8 deemed necessary for the operation and maintenance of a food or lodging
9 establishment or short-term rental in a safe and sanitary manner.

10 * * *

11 * * * Flood Risk Disclosure * * *

12 Sec. 57. 27 V.S.A. § 380 is added to read:

13 § 380. DISCLOSURE OF INFORMATION; CONVEYANCE OF REAL
14 ESTATE

15 (a) Prior to or as part of a contract for the conveyance of real property, the
16 seller shall provide the buyer with the following information:

17 (1) whether the real property is located in a Federal Emergency
18 Management Agency mapped flood hazard area or whether the property is
19 located in a fluvial erosion hazard area mapped by a municipality;

20 (2) whether the real property was ever subject to flooding; and

21 (3) the flood insurance rates for the real property, if applicable.

1 (b) The failure of the seller to provide the buyer with the information
2 required under subsection (a) of this section is grounds for the buyer to
3 terminate the contract prior to transfer of title or occupancy, whichever occurs
4 earlier.

5 (c) A buyer of real estate who fails to receive the information required to be
6 disclosed by a seller under subsection (a) of this section may bring an action to
7 recover from the seller the amount of the buyer’s damages and reasonable
8 attorney’s fees. The buyer may also seek punitive damages when the seller
9 knowingly failed to provide the required information.

10 (d) A seller shall not be liable for damages under this section for any error,
11 inaccuracy, or omission of any information required to be disclosed to the
12 buyer under subsection (a) of this section when the error, inaccuracy, or
13 omission was based on information provided by a public body or a by another
14 person with a professional license or special knowledge who provided a
15 written report that the seller reasonably believed to be correct and that was
16 provided by the seller to the buyer.

17 (e) Noncompliance with the requirements of this section shall not affect the
18 marketability of title of a real property.

19 Sec. 58. 9 V.S.A. § 4466 is added to read:

20 § 4466. REQUIRED DISCLOSURE

- 1 (i) built on a permanent chassis;
- 2 (ii) designed to be used as a dwelling with or without a permanent
3 foundation when connected to the required utilities;
- 4 (iii) transportable in one or more sections; and
- 5 (iv)(I) at least eight feet wide, 40 feet long, or when erected has at
6 least 320 square feet; or
- 7 (II) if the structure was constructed prior to June 15, 1976, at
8 least eight feet wide or 32 feet long; or
- 9 (B) any structure that meets all the requirements of this
10 subdivision (1) except the size requirements, and for which the manufacturer
11 voluntarily files a certification required by the U.S. Department of Housing
12 and Urban Development and complies with the construction and safety
13 standards established under Title 42 of the U.S. Code.
- 14 (C) [Repealed.]
- 15 (2) “Mobile home park” means any parcel of land under single or
16 common ownership or control that contains, or is designed, laid out, or adapted
17 to accommodate, more than two mobile homes. “Mobile home park” does not
18 mean premises used solely for storage or display of mobile homes. Mobile
19 home park does not mean any parcel of land under the ownership of an
20 agricultural employer who may provide up to four mobile homes used by full-
21 time workers or employees of the agricultural employer as a benefit or

1 condition of employment or any parcel of land used solely on a seasonal basis
2 for vacation or recreational mobile homes.

3 * * *

4 (13) “Flood hazard area” has the same meaning as in section 752 of this
5 title.

6 (14) “Flood insurance rate map” means, for any mobile home park, the
7 official flood insurance rate map describing that park published by the Federal
8 Emergency Management Agency on its website.

9 * * * Disaster Resiliency Investment Areas * * *

10 Sec. 61. DISASTER RESILIENCY INVESTMENT AREAS; TAX

11 INCREMENT FINANCING

12 (a) Definitions. As used in this section:

13 (1) “Committed” means pledged and appropriated for the purpose of the
14 current and future payment of tax increment financing and related costs as
15 defined in this section.

16 (2) “Coordinating agency” means any public or private entity from
17 outside the municipality’s departments or offices and not employing the
18 municipality’s staff, which has been designated by a municipality to administer
19 and coordinate a DRIA during creation, public hearing process, approval
20 process, or administration and operation during the life of the project,
21 including overseeing infrastructure development, real property development

1 and redevelopment, assisting with reporting, and ensuring compliance with
2 statute.

3 (3) “Disaster Resiliency Investment Area” or “DRIA” means the
4 developed parcel or combined parcels which are impacted by disasters or other
5 disaster events, as well as the parcel or combined parcels needed to allow for
6 replacement development.

7 (4) “Financing” means debt incurred, including principal, interest, and
8 any fees or charges directly related to that debt, or other instruments or
9 borrowing used by a municipality to pay for improvements and related costs
10 for the approved DRIA, only if authorized by the legal voters of the
11 municipality [in accordance with subsection (f)]. Payment for eligible related
12 costs may also include direct payment by the municipality using the tax
13 increment. If interfund loans within the municipality are used as the method of
14 financing, no interest shall be charged.

15 (5) “Improvements” means the installation, new construction, or
16 reconstruction of infrastructure that will serve a public purpose and support
17 disaster resiliency, including utilities, transportation, public facilities and
18 amenities, land and property acquisition and demolition, brownfield
19 remediation, site preparation, and any disaster resiliency improvements
20 whether on public or private property. “Improvements” also means the
21 funding of debt service interest payments.

1 (6) “Legislative body” means the mayor and alderboard, the city
2 council, the selectboard, and the president and trustees of an incorporated
3 village, as appropriate.

4 (7) “Municipality” means a city, town, or incorporated village.

5 (8) “Original taxable value” means the total valuation as determined in
6 accordance with 32 V.S.A chapter 129 of all taxable real property located
7 within the DRIA as of the creation date, provided that:

8 (A) no parcel within the project shall be divided or bisected; and

9 (B) the value of any parcel that transitions to municipal ownership
10 after the creation of a DRIA to provide disaster resiliency meeting or
11 exceeding current State laws and rules and is sold to private owners for
12 commercial or residential use shall be deemed to be \$0.00 in the property tax
13 year of municipal purchase.

14 (9) “Related costs” means expenses incurred and paid by the
15 municipality, exclusive of the actual cost of constructing and financing
16 improvements, that are directly related to the creation and implementation of
17 the project, including reimbursement of sums previously advanced by the
18 municipality for those purposes and use of a coordinating agency. Related
19 costs may not include direct municipal expenses such as departmental or
20 personnel costs.

1 (10) “Conserved parcel increment credit” means credit for last collection
2 of municipal and education taxes projected over the life of the project using the
3 listed value prior to the disaster that resulted in participation in this program.
4 This is a tax calculation on the listed value of the parcel or parcels prior to the
5 disaster to continue to provide that amount in municipal and education
6 property tax to the DRIA. The municipal taxes associated with a conserved
7 parcel increment credit will be taken from the aggregate municipal property
8 taxes collected and deposited in the special DRIA account each fiscal year.
9 This credit will be applied after the parcel in question has been purchased by
10 the municipality and permanently conserved for disaster resiliency purposes.

11 (b) [Pilot program.]

12 (c) General authority. Under the program established in subsection (b) of
13 this section, a municipality, upon approval of its legislative body, may apply to
14 the Vermont Economic Progress Council pursuant to the process set forth in
15 subsection (e) of this section [to use tax increment financing] to encourage
16 disaster resiliency that will allow for redevelopment of damaged property and
17 relocation or development of privately-owned structures.

18 (d) Eligibility.

19 (1) A municipality is only authorized to apply for a project under this
20 section if:

1 (A) the Governor has declared a disaster [covering the municipality];

2 or

3 (B) Vermont Emergency Management, in consultation with the
4 Agency of Natural Resources and the Agency of Transportation, determines
5 the municipality is vulnerable to elevated disaster risks as reported in the State
6 Hazard Mitigation Plan.

7 (2) The municipality must demonstrate that:

8 (A) infrastructure improvements are needed to allow for community
9 development in an area that is disaster resilient;

10 (B) the proposed infrastructure improvements and the projected
11 development or redevelopment are compatible with confirmed municipal and
12 regional development plans;

13 (C) the proposed improvements will reduce or eliminate long-term
14 risk to people and property from future hazards, as approved by Vermont
15 Emergency Management; and

16 (D) it has the ability to manage the project with requisite experience
17 and a plan for fiscal viability.

18 (3) A municipality with an approved tax increment financing district is
19 authorized to apply for a DRIA under this section. Any parcel approved under
20 this section will be removed from its existing tax increment financing district.

1 (e) Approval process. The Vermont Economic Progress Council shall do
2 all of the following to approve an application submitted pursuant to subsection
3 (c) of this section:

4 (1) Review each application in coordination with the Agency of Natural
5 Resources, Vermont Emergency Management, and the Agency of
6 Transportation to determine that:

7 (A) the project will provide for disaster resiliency and the
8 infrastructure improvements proposed will serve the proposed development;

9 (B) there will be community development which replaces the
10 property lost as a result of the disaster that will increase grand list values; and

11 (C) [the amount of tax revenue expected to be generated as a result of
12 the proposed project]

13 (2) Determine that each application meets all of the following
14 requirements:

15 (A) the municipality held public hearings and established a project;

16 (B) the municipality has developed a Disaster Resiliency Investment
17 Area plan, including a project description; a development financing plan; a pro
18 forma projection of expected costs; a projection of revenues; and a
19 development schedule that includes a list, a cost estimate, and a schedule for
20 public improvements and projected private development to occur as a result of
21 the improvements; and

1 (C) the municipality has approved or pledged the utilization of
2 incremental municipal tax revenues for the purposes of the DRIA; and

3 (3) Determine there is a relationship between the improvements and the
4 expected development and redevelopment for the project and expected
5 outcomes in the DRIA.

6 (f) Incurring indebtedness.

7 (1) A municipality approved under the process set forth in subsection (e)
8 of this section may incur indebtedness against revenues to provide funding to
9 pay for improvements and related costs for the DRIA.

10 (2) The municipality shall be authorized to incur indebtedness only after
11 the legal voters of the municipality, by a majority vote of all voters present and
12 voting on the question at a special or annual municipal meeting duly warned
13 for the purpose, authorize the legislative body to pledge the credit of the
14 municipality, borrow, or otherwise secure the debt for the specific purposes so
15 warned. The creation of the project shall occur at 12:01 a.m. on April 1 of the
16 calendar year the Vermont Economic Progress Council approves the DRIA].

17 (3) A municipality approved under the process set forth in subsection (e)
18 of this section may incur indebtedness against revenues of the DRIA at any
19 time during a period of up to five years following Vermont Economic Progress
20 Council approval of the DRIA. Any indebtedness incurred under this
21 subsection may be retired over any period authorized by the legislative body of

1 the municipality. The DRIA shall continue until the date and hour the
2 indebtedness is retired or, if no debt is incurred, five years following Vermont
3 Economic Progress Council approval of the DRIA.

4 (g) Original taxable value. As of the date the project is approved by the
5 legislative body of the municipality, the lister or assessor for the municipality
6 shall work with the Vermont Economic Progress Council and the Vermont
7 Department of Taxes to certify the original taxable value and shall report to
8 Vermont Economic Progress Council in each year thereafter during the life of
9 the DRIA the amount by which the total valuation as determined in accordance
10 with 32 V.S.A. chapter 129 of all taxable real property located within the
11 DRIA has increased or decreased relative to the original taxable value.

12 (h) Tax increments and credits.

13 (1) In each year following the approval of the DRIA, the lister or
14 assessor shall include not more than the original taxable value of the real
15 property in the assessed valuation upon which the treasurer computes the rates
16 of all taxes levied by the municipality and every other taxing district in which
17 the DRIA is situated, but the treasurer shall extend all rates so determined
18 against the entire assessed valuation of real property for that year. In each
19 year, the municipality shall hold apart, rather than remit to the taxing districts,
20 that proportion of all taxes paid that year on the real property within the project
21 that the excess valuation bears to the total assessed valuation. The amount

1 held apart each year is the “tax increment” for that year. Revenues shall be
2 segregated by the municipality in a special DRIA account and in its official
3 books and records until all capital indebtedness of the project has been fully
4 paid. The final payment shall be reported to the treasurer, who shall thereafter
5 include the entire assessed valuation of the project in the assessed valuations
6 upon which municipal and other tax rates are computed and extended and
7 thereafter no taxes from the project shall be deposited in the project’s DRIA
8 account.

9 (2) In each year, a municipality shall remit not less than the education
10 taxes collected on the aggregate original taxable value to the Education Fund
11 for those parcels which remain in private ownership after the formation of the
12 DRIA less any conserved parcel increment credit.

13 (3) Notwithstanding any charter provision or other provision, all
14 property taxes assessed within a DRIA shall be subject to the provisions of
15 subdivisions (1) and (2) of this subsection. Special assessments levied under
16 24 V.S.A. chapters 76A or 87 or under a municipal charter shall not be
17 considered property taxes for the purpose of this section if the proceeds are
18 used exclusively for operating expenses related to properties within the project
19 and not for improvements within the district, as defined in subdivision (a)(5) of
20 this section.

1 (4) Amounts held apart under subdivision (1) of this subsection shall
2 only be used for financing and related costs as defined in subsection (a) of this
3 section.

4 (i) Use of tax increment.

5 (1) Education property tax increment. For only debt incurred within the
6 period permitted under subdivision (f)(3) of this section after approval of the
7 DRIA, all education tax increment may be retained to service the debt and
8 related costs, beginning the first year in which the DRIA is approved by the
9 Vermont Economic Progress Council. Upon approval of the DRIA, the
10 Vermont Economic Progress Council shall notify the Department of Taxes and
11 establish the beginning of the retention period of the education tax increment.

12 (2) Use of the municipal property tax increment. For only debt incurred
13 within the period permitted under subdivision (f)(3) of this section after
14 approval of the project, all municipal tax increment shall be retained to service
15 the debt and related costs, beginning the first year in which the DRIA is
16 approved by Vermont Economic Progress Council.

17 (3) Retention of tax increment shall continue until all debt is retired.

18 (j) Distribution. Of the municipal and education tax increments received in
19 any tax year that exceed the amounts committed for the payment of the
20 financing for improvements and related costs for the DRIA, equal portions of
21 each increment may be retained for the following purposes: prepayment of

1 principal and interest on the financing, placed in a special account required by
2 subdivision (h)(1) of this section and used for future financing payments, or
3 used for defeasance of the financing. Any remaining portion of the excess
4 municipal tax increment shall be distributed to the city, town, or village
5 budget, in the proportion that each budget bears to the combined total of the
6 budgets, unless otherwise negotiated by the city, town, or village, and any
7 remaining portion of the excess education tax increment shall be distributed to
8 the Education Fund.

9 (k) Information reporting. Every municipality with an approved project
10 pursuant to this section shall:

11 (1) Develop a system, segregated for the project, to identify, collect, and
12 maintain all data and information necessary to fulfill the reporting
13 requirements of this section, including performance measures.

14 (2) Provide, as required by events, notification to the Vermont
15 Economic Progress Council and the Department of Taxes regarding any DRIA
16 debt obligations, public votes, or votes by the municipal legislative body
17 immediately following such obligation or vote on a form prescribed by the
18 Council, including copies of public notices, agendas, minutes, vote tally, and a
19 copy of the information provided to the public in accordance with 24 V.S.A.
20 § 1894(i).

21 (3) Annually:

1 (A) Ensure that the DRIA account required by subdivision (h)(1) of
2 this section is subject to an annual independent audit. Procedures for the audit
3 must include verification of the original taxable value and annual and total
4 municipal and education tax increments generated, expenditures for debt and
5 related costs, and current balance.

6 (B) On or before October 15 of each year, on a form prescribed by
7 the Vermont Economic Progress Council, submit an annual report to the
8 Vermont Economic Progress Council and the Department of Taxes, including
9 the information required by subdivision (k)(2) of this section if not already
10 submitted during the year, all information required by subdivision (A) of this
11 subdivision (3), and any other information required by the Vermont Economic
12 Progress Council or the Department of Taxes.

13 (1) The Vermont Economic Progress Council may adopt rules pursuant to
14 3 V.S.A. chapter 25 to carry out the purposes of this section.

15 Sec. 62. 24 V.S.A. § 1895(b) is amended to read:

16 (b)(1) Boundary of the district. Except as provided in subdivision (2) of
17 this subsection (b), No no adjustments to the physical boundary lines of a
18 district shall be made after the approval of a tax increment financing district
19 plan.

20 (2) For any parcel located within both a disaster resiliency investment
21 area and a distinct district, the portion of the district's original taxable value

1 attributable to the parcel shall be subtracted from the district’s original taxable
2 value upon approval of the disaster resiliency investment area.

3 * * * Housing Retention Funding * * *

4 Sec. 63. APPROPRIATION; RENT ARREARS ASSISTANCE FUND

5 The sum of \$5,000,000.00 is appropriated from the General Fund to the
6 Vermont State Housing Authority in fiscal year 2025 for the Rent Arrears
7 Assistance Fund.

8 Sec. 64. APPROPRIATION; LANDLORD RELIEF PROGRAM

9 The sum of \$5,000,000.00 is appropriated from the General Fund to the
10 Vermont State Housing Authority in fiscal year 2025 for the Landlord Relief
11 Program.

12 * * * Mobile Homes * * *

13 Sec. 65. 10 V.S.A. § 6201 is amended to read:

14 § 6201. DEFINITIONS

15 As used in this chapter, unless the context requires otherwise:

16 * * *

17 (2)(A) “Mobile home park” means ~~any parcel of land under single or~~
18 ~~common ownership or control~~ that contains, or is designed, laid out, or adapted
19 to accommodate, more than two mobile homes, together with all improvements
20 on the land, if held as:

21 (i) a parcel under single or common ownership or control; or

1 (ii) parcels managed together by a common interest community.

2 (B) “Mobile home park” does not mean premises used solely for
3 storage or display of mobile homes. Mobile home park does not mean any
4 parcel of land under the ownership of an agricultural employer who may
5 provide up to four mobile homes used by full-time workers or employees of
6 the agricultural employer as a benefit or condition of employment or any
7 parcel of land used solely on a seasonal basis for vacation or recreational
8 mobile homes.

9 Sec. 66. MOBILE HOME PARK INFRASTRUCTURE NEEDS

10 ASSESSMENT

11 (a) On or before January 15, 2025, the Department of Housing and
12 Community Development shall submit a report to the Senate Committee on
13 Economic Development, Housing, and General Affairs on the near- and long-
14 term infrastructure needs of each mobile home park in the State. The report
15 shall recommend plans to address those needs.

16 (b) The sum of \$50,000.00 is appropriated from the General Fund to the
17 Department of Housing and Community Development for the purpose of
18 subsection (a) of this section.

19 Sec. 67. MANUFACTURED HOME IMPROVEMENT AND REPAIR

20 PROGRAM APPROPRIATIONS; INFRASTRUCTURE; MOBILE
21 HOME REPAIR

1 (b) Membership. The Task Force shall be composed of the following
2 members:

3 (1) 1 current member of the House of Representatives, appointed by the
4 Speaker of the House;

5 (2) 1 current member of the Senate, appointed by the Committee on
6 Committees;

7 (3) the State Treasurer or designee;

8 (4) one representative of the Champlain Housing Trust, appointed by
9 [whomever]; and

10 (5) one representative of the Vermont Landlord Association, appointed
11 by [whomever].

12 (c) Powers and duties. The Task Force shall study rent payment reporting
13 programs and shall consider the following:

14 (1) existing programs, including those provided by the Champlain
15 Housing Trust, Fannie Mae, and other states;

16 (2) positive-only and full-file reporting;

17 (3) opt-in, opt-out, and mandatory reporting;

18 (4) methods for developing resident trust in rent payment reporting; and

19 (5) best practices for raising awareness of a State pilot program among
20 housing providers and renters.

1 (d) Assistance. The Task Force shall have the administrative, technical,
2 and legal assistance of the Office of the State Treasurer.

3 (e) Report. On or before December 15, 2024, the Task Force shall report to
4 the Senate Committee on Economic Development, Housing and General
5 Affairs with its findings and any recommendations for legislative action, which
6 may be in the form of proposed legislation.

7 (f) Meetings.

8 (1) The chair shall call the first meeting of the Task Force to occur on or
9 before July 31, 2024.

10 (2) The State Treasurer or designee shall be the chair.

11 (3) A majority of the membership shall constitute a quorum.

12 (4) The Task Force shall cease to exist upon submission of its findings
13 and any recommendations for legislative action.

14 (g) Compensation and reimbursement.

15 (1) For attendance at meetings during adjournment of the General
16 Assembly, a legislative member of the Task Force shall be entitled to per diem
17 compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23 for
18 not more than 6 meetings.

19 (2) Other members of the Task Force shall be entitled to per diem
20 compensation and reimbursement of expenses as permitted under 32 V.S.A.
21 § 1010 for not more than 6 meetings.

1 (3) whether existing bases for termination are properly utilized,
2 including specifically 9 V.S.A. § 4467(b)(2) (termination for criminal activity,
3 illegal drug activity, or acts of violence);

4 (d) Assistance. The Committee shall have the administrative, technical,
5 and legal assistance of [named entity].

6 (e) Report. On or before December 15, 2024, the Task Force shall report to
7 the Senate Committee on Economic Development, Housing and General
8 Affairs with its findings and any recommendations for legislative action, which
9 may be in the form of proposed legislation.

10 (f) Meetings.

11 (1) [Person] shall call the first meeting of the Committee to occur on or
12 before [date].

13 (2) The Committee shall select a chair from among its members at the
14 first meeting.

15 (3) A majority of the membership shall constitute a quorum.

16 (4) The Committee shall cease to exist upon submission of its findings
17 and any recommendations for legislative action.

18 (g) Compensation and reimbursement.

19 (1) For attendance at meetings during adjournment of the General
20 Assembly, a legislative member of the Committee serving in his or her
21 capacity as a legislator shall be entitled to per diem compensation and

1 reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than 6
2 meetings.

3 (2) Other members of the Committee shall be entitled to per diem
4 compensation and reimbursement of expenses as permitted under 32 V.S.A.
5 § 1010 for not more than 6 meetings

6 (3) Payments to members of the Committee authorized under this
7 subsection shall be made from monies appropriated to the General Assembly.

8 * * * Effective Dates * * *

9 Sec. 71. EFFECTIVE DATES

10 (a) This section and Sec. 52 (rental housing registry) shall take effect on
11 passage.

12 (b) Sec. 53 (rental housing registration) shall take effect on January 1,
13 2025.

14 (c) Sec. [22] (grand list contents, 32 V.S.A. § 4152(a)) shall take effect on
15 July 1, 2037.

16 (d) Notwithstanding 1 V.S.A. § 214, Sec. Z (medical expenses deduction)
17 shall take effect retroactively on January 1, 2023 and shall apply to taxable
18 years beginning on and after January 1, 2023.

19 (e) All other sections shall take effect on July 1, 2024.

20