

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 * * * Act 250 * * *

14 Sec. 2. 10 V.S.A. § 6001 is amended to read:

15 § 6001. DEFINITIONS

16 As used in this chapter:

17 * * *

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

19 * * *

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

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

11 ~~(aa) [Repealed.]~~

12 ~~(bb) [Repealed.]~~

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

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

17 ~~(ee) [Repealed.]~~

18 ~~(ff) Notwithstanding subdivisions (cc) through (ee) of this~~
19 ~~subdivision (3)(A)(iv)(I), 10 or more if the construction involves the~~
20 ~~demolition of one or more buildings that are listed on or eligible to be listed on~~
21 ~~the State or National Register of Historic Places. However, demolition shall~~

1 ~~not be considered to create jurisdiction under this subdivision (ff) if the~~
2 ~~Division for Historic Preservation has determined that the proposed demolition~~
3 ~~will have no adverse effect, will have no adverse effect if specified conditions~~
4 ~~are met, or will have an adverse effect that will be adequately mitigated. Any~~
5 ~~imposed conditions shall be enforceable through a grant condition, deed~~
6 ~~covenant, or other legally binding document.~~

7 (II) ~~The determination of jurisdiction over a priority housing~~
8 ~~project shall count only the housing units included in that discrete project. The~~
9 ~~construction of housing projects such as cooperatives, condominiums, or~~
10 ~~dwelling, or construction or maintenance of mobile homes or mobile home~~
11 ~~parks, with 10 or more units, constructed or maintained on a tract or tracts of~~
12 ~~land owned or controlled by a person, within a radius of five miles of any point~~
13 ~~on any involved land and within any continuous period of two years.~~

14 (III) ~~Housing units in a priority housing project shall not count~~
15 ~~toward determining jurisdiction over any other project The construction of a~~
16 ~~permanently affordable housing project or senior housing project, with 30 or~~
17 ~~more units, constructed or maintained on a tract or tracts of land owned or~~
18 ~~controlled by a person, within a radius of five miles of any point on any~~
19 ~~involved land and within any continuous period of two years.~~

20 * * *

1 ~~designated new town center, designated growth center, or designated~~
2 ~~neighborhood development area under 24 V.S.A. chapter 76A.~~ “Senior
3 housing” means a facility or community that meets each of the following
4 requirements:

5 (A) At least 80 percent of the units must have at least one occupant
6 who is 55 years of age or older;

7 (B) The facility or community publishes and adheres to policies and
8 procedures that demonstrate the intent to operate as “55 or older” housing; and

9 (C) The facility or community complies with U.S. Department of
10 Housing and Urban Development’s regulatory requirements for age
11 verification of residents.

12 * * *

13 Sec. 3. 10 V.S.A. § 6081 is amended to read:

14 § 6081. PERMITS REQUIRED; EXEMPTIONS

15 * * *

16 (t) No permit or permit amendment is required for the construction of
17 improvements for an accessory dwelling unit as defined in 24 V.S.A. § 4303.

18 * * *

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

1 Sec. 4. 10 V.S.A. § 6084(f) is added to read:

2 (f) The applicant shall post a sign provided by the District Commission on
3 the subject property in a visible location BLANK days prior to the hearing on
4 the application and until the permit is issued or denied. The District
5 Commission shall provide the sign which shall include a general description of
6 the project, the date and place of the hearing, the ID number of the application
7 and the web address, and the contact information for the District Commission.
8 The design of the signs shall be consistent throughout the State and
9 prominently state “This Property has applied for an Act 250 Permit.”

10 Sec. 5. 10 V.S.A. § 6086(d) is amended to read:

11 (d) State and municipal permits.

12 (1) The District Commission shall not delay issuing a permit under this
13 chapter on the grounds that the development or subdivision has not received
14 one or more other required State permits or approvals; however, it may include
15 a condition that construction may not commence until such other required
16 permits or approvals are received.

17 (2) The Natural Resources Board ~~may by rule~~ shall allow the acceptance
18 of a permit or permits or approval of any State agency with respect to
19 subdivisions (a)(1) through (5) of this section or a permit or permits of a
20 specified municipal government with respect to subdivisions (a)(1) through (7)
21 and (9) and (10) of this section, or a combination of such permits or approvals,

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

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

1 of a municipal government unless it satisfies the appropriate requirements of
2 subsection (a) of this section.

3 **Sec. 6. 10 V.S.A. § 6086(h) is added to read:**

4 **(h) Compliance self-certification. The District Commission may require**
5 **that a person who receives a permit under this chapter report on a regular**
6 **schedule to the District Commission on whether or not the person has**
7 **complied with and is in compliance with the conditions required in that permit.**
8 **The report shall be made on a form provided by the Board and shall be**
9 **notarized and contain a self-certification to the truth of statements.**

10 Sec. 7. 10 V.S.A. § 6093 is amended to read:

11 § 6093. MITIGATION OF PRIMARY AGRICULTURAL SOILS

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

15 (1) Project located in certain designated areas. This subdivision applies
16 to projects located in the following areas designated under 24 V.S.A. chapter
17 76A: a downtown development district, a growth center, a new town center
18 ~~designated on or before January 1, 2014~~, and a neighborhood development area
19 ~~associated with a designated downtown development district~~. If the project
20 tract is located in one of these designated areas, an applicant who complies
21 with subdivision 6086(a)(9)(B)(iv) of this title shall deposit an offsite

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

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

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

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

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

1 that does not exceed 60 percent of the county median income or 60 percent of
2 the standard metropolitan statistical area income if the municipality is located
3 in such an area.

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

6 * * *

7 Sec. 8. REPEALS

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

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

10 (c) 2023 Acts and Resolves No. 47, Sec. 16a (Act 250 exemption
11 requirements) is repealed.

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

14 * * * Municipal Zoning * * *

15 Sec. 9. 24 V.S.A. § 4382 is amended to read:

16 § 4382. THE PLAN FOR A MUNICIPALITY

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

21 * * *

1 dwelling, including no additional land or lot area than would be required for a
2 single-unit dwelling.

3 * * *

4 (12) In any area served by municipal sewer and water infrastructure that
5 allows residential development, bylaws shall establish lot and building
6 dimensional standards that allow five or more dwelling units per acre for each
7 allowed residential use, ~~and density~~. Any lot that is smaller than one acre but
8 granted a variance of not more than 10 percent shall be treated as one acre for
9 the purposes of this subsection. Density and minimum lot size standards for
10 multiunit dwellings shall not be more restrictive than those required for single-
11 family dwellings.

12 **OR**

13 (12) In any area served by municipal sewer and water infrastructure that
14 allows residential development, bylaws shall establish lot and building
15 dimensional standards that allow five or more dwelling units per acre for each
16 allowed residential use, ~~and density~~ a minimum lot size of one fifth of an acre.
17 Density and minimum lot size standards for duplexes and multiunit dwellings
18 shall not be more restrictive than those required for single-family dwellings.

19 (13) In any area served by municipal sewer and water infrastructure that
20 allows residential development, bylaws shall permit any affordable housing
21 development, as defined in subdivision 4303(2) of this title, including mixed-

1 use development, to exceed density limitations for residential developments by
2 an additional 40 percent, rounded up to the nearest whole unit, which shall
3 include exceeding maximum height limitations by one floor, provided that the
4 structure complies with the Vermont Fire and Building Safety Code.

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

7 Sec. 11. 24 V.S.A. § 4413 is amended to read:

8 § 4413. LIMITATIONS ON MUNICIPAL BYLAWS

9 (a)(1) The following uses may be regulated only with respect to location,
10 size, height, building bulk, yards, courts, setbacks, density of buildings, off-
11 street parking, loading facilities, traffic, noise, lighting, landscaping, and
12 screening requirements, and only to the extent that regulations do not have the
13 effect of interfering with the intended functional use:

14 (A) State- or community-owned, and -operated institutions and or
15 facilities;

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

18 (C) churches and other places of worship, convents, and parish
19 houses;

20 (D) public and private hospitals;

1 (E) regional solid waste management facilities certified under
2 10 V.S.A. chapter 159;

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

5 (G) emergency shelters; and

6 (H) hotels and motels converted to permanently affordable housing
7 developments.

8 * * *

9 Sec. 12. 24 V.S.A. § 4428 is added to read:

10 § 4428. PARKING BYLAWS

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

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

17 (c) Parking space size standards. For the purpose of residential parking, a
18 municipality shall define a parking space as not larger than **nine feet by 18** feet.

19 (d) Existing nonconforming parking. A municipality shall allow an
20 existing nonconforming parking space to count toward the parking requirement

1 of an existing residential building if new residential units are added to the
2 building.

3 (e) Adjacent lots. A municipality shall allow a person with a valid legal
4 agreement for use of parking spaces in an adjacent or nearby lot to count
5 toward the parking requirement of a residential building.

6 Sec. 13. 2023 Acts and Resolves No. 47, Sec. 1 is amended to read:

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

8 § 4414. ZONING; PERMISSIBLE TYPES OF REGULATIONS

9 * * *

10 (4) Parking and loading facilities. A municipality may adopt provisions
11 setting forth standards for permitted and required facilities for off-street
12 parking and loading, which may vary by district and by uses within each
13 district. In any district that is served by municipal sewer and water
14 infrastructure that allows residential uses, a municipality shall not require more
15 than one parking space per dwelling unit. However, a municipality may
16 require 1.5 parking spaces for duplexes and multiunit dwellings in areas not
17 served by sewer and water, and in areas that are located more than one-quarter
18 mile away from public parking. The number of parking spaces shall be
19 rounded up to the nearest whole number when calculating the total number of
20 spaces. These bylaws may also include provisions covering the location, size,
21 design, access, landscaping, and screening of those facilities. In determining

1 the number of parking spaces for nonresidential uses and size of parking
2 spaces required under these regulations, the appropriate municipal panel may
3 take into account the existence or availability of employer “transit pass” and
4 rideshare programs, public transit routes, and public parking spaces in the
5 vicinity of the development.

6 * * *

7 Sec. 14. 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 Sec. 15. 24 V.S.A. § 4429 is added to read:

15 § 4429. LOT COVERAGE BYLAWS

16 (a) A municipality shall allow for lot coverage of at least 50 percent in
17 areas served by municipal water and sewer infrastructure.

18 (b) A municipality shall allow for a lot coverage bonus of 20 percent on
19 lots that allow access to new or subdivided lots without road frontage.

1 have participated in the proceeding or any 25 persons, who may be any
2 combination of voters, residents, or real property owners within a municipality
3 listed in subdivision (2) of this subsection who, by signed petition to the
4 appropriate municipal panel of a municipality, the plan or a bylaw of which is
5 at issue in any appeal brought under this title, allege that any relief requested
6 by a person under this title, if granted, will not be in accord with the policies,
7 purposes, or terms of the plan or bylaw of that municipality. This petition to
8 the appropriate municipal panel must designate one person to serve as the
9 representative of the petitioners regarding all matters related to the appeal. For
10 purposes of this subdivision, an appeal shall not include the character of the
11 area affected if the project has a residential component that includes affordable
12 housing.

13 * * *

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

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

18 (2) Any permitted residential and mixed-use development that does not
19 require conditional use review. Development requiring conditional use review
20 may be appealed.

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

3 Sec. 19. 10 V.S.A. § 8507 is added to read:

4 § 8507. APPEAL; BOND

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

10 (1) At least half of reasonable associated costs incurred by the permit
11 applicant as a direct result of the appeal if the appeal is denied but found to be
12 nonfrivolous. As used in this subdivision, a “frivolous appeal” means an
13 appeal that would not have a reasonable chance of success, such as an appeal
14 that is unsupported.

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

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

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Sec. 21. SUPERIOR COURT; POSITION; APPROPRIATION

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

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

Sec. 22. APPROPRIATION

In fiscal year 2025, \$500,000.00 General Fund is appropriated the municipal portion of the Municipal and Regional Planning Fund established in 24 V.S.A. § 4306 to assist municipalities in adopting municipal plans and bylaws in towns where none currently exist.

* * * Downtown Tax Credits * * *

Sec. 23. 32 V.S.A. § 5930ee is amended to read:

§ 5930ee. LIMITATIONS

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

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

* * *

* * * New Act 250 Tiers * * *

1 Sec. 24. 10 V.S.A. § 6001 is amended to read:

2 § 6001. DEFINITIONS

3 As used in this chapter:

4 * * *

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

6 * * *

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

10 * * *

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

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

17 (II) As used in this subdivision (x), “road” shall include any
18 new road or upgrade of a Class 4 highway by a person other than a
19 municipality, including a road that will be transferred to or maintained by a
20 municipality after its construction or upgrade. For the purposes of this
21 subdivision (II), routine maintenance of a Class 4 highway or stormwater

1 improvement required pursuant to section 1264 of this title shall not constitute
2 an “upgrade.”

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

5 (bb) Routine maintenance shall not include changing the
6 size of the road, changing the location or layout of the road, or adding
7 pavement.

8 (III) For the purpose of determining the length under this
9 subdivision, the length of all roads and driveways within the tract or tracts of
10 land constructed within any continuous period of 10 years after October 1,
11 2024 shall be included.

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

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

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

19 * * *

20 (50) “Tier 1A” means an area as defined by the Board and mapped by a
21 municipality’s maps.

1 (51) “Tier 1B” means an area as defined by the Board and mapped by a
2 municipality’s maps.

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

4 (53) “Tier 3” means an area as defined by the Board and mapped by the
5 regional land use maps, that contains ecologically important natural resources.

6 The definition may include features such as river corridors, significant
7 wetlands as defined under section 902 of this title, land at or above 2,000 feet,
8 land characterized by slopes greater than 15 percent and shallow depth to
9 bedrock, and areas with any amount of prime agricultural soil.

10 Sec. 25. 10 V.S.A. § 6032 is added to read:

11 § 6032. DESIGNATION OF TIERS 1A, 1B, AND 3

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

15 (1) Municipalities develop the application for designation under either
16 Tier and proposed maps of the area and submit it to the Regional Planning
17 Commission for comment and approval. The Regional Planning Commission
18 shall then review the proposal to ensure it is consistent with the regional plan,
19 and provide additional technical input and advice as needed to improve the
20 application.

1 (2) If the regional planning commission concurs with the municipality’s
2 application, the municipality would submit the application to the Board for
3 approval. During this review, the regional planning commission’s concurrence
4 would create a presumption that the application is consistent with the regional
5 plan

6 (3) If the regional planning commission raises objections to the
7 municipality’s application, the municipality may choose to rework the
8 application and resubmit it to the regional planning commission or go ahead
9 and submit the application for review by the Board without regional planning
10 commission approval. In the later instance, the municipality would have to
11 demonstrate to the Board that the application is consistent with the regional
12 plan and explain why it chose not to re-work its application.

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

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

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

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

1 (8) Tier 1A or 1B area designation shall be reviewed and re-certified
2 every 8 years.

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

5 (1) A municipal plan that is approved in accordance with 24 V.S.A.
6 § 4350.

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

10 (3) Flood hazard and river corridor bylaws, applicable to the entire
11 municipality, that are consistent with the standards established pursuant to
12 subsection 755(b) of this title (flood hazard) and subsection 1428(b) of this
13 title (river corridor).

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

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

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

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

5 (8) Tier 1A shall additional requirements.

6 (c) On or before October 1, 2025, the Board shall adopt rules establishing
7 the process for designating transportation corridors. The rules shall at a
8 minimum include provisions for the following:

9 (1) A definition of transportation corridor that includes the area within
10 100 feet of a class 2 or class 3 highway that is served by municipal sewer and
11 water infrastructure.

12 (1) Municipalities develop the application for designation of a
13 transportation corridor and proposed maps of the area and submit it to the
14 regional planning commission for comment and approval. The regional
15 planning commission shall then review the proposal to ensure it is consistent
16 with the regional plan, and provide additional technical input and advice as
17 needed to improve the application.

18 (2) A regional planning commission may apply for designation of a
19 transportation corridor that spans multiple municipalities.

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

4 (1) Each respective regional planning commission would recommend a
5 mapping process for identifying Tier 3 areas. This shall include a process for
6 reviewing existing maps, such as Vermont Conservation Design and other
7 available science-based resources, a process for public comment, and
8 authorization of a statewide board to review and approve Tier 3 designations.

9 (2) Each regional planning commission would be primarily responsible
10 for conducting the mapping, in consultation with municipalities, based on
11 consistent and robust standards, and with additional resources and technical
12 support from the state. The regional planning commissions would submit their
13 maps to the Board for approval through a public process, with opportunities for
14 public comment and appeal. Municipalities shall have an opportunity to
15 oppose or appeal the regional planning commission’s proposed maps if they
16 disagree with the regional planning commission’s determinations.

17 (e) The regional planning commissions shall conduct an environmental
18 justice analysis to determine if the costs and benefits of the Tiers are
19 distributed equitably within municipalities and the region.

20 (f) On or before December 1, 2026, the regional planning commissions
21 shall complete necessary mapping of Tiers.

1 Sec. 26. 24 V.S.A. § 4382 is amended to read:

2 § 4382. THE PLAN FOR A MUNICIPALITY

3 (a) A plan for a municipality shall be consistent with the goals established
4 in section 4302 of this title and compatible with approved plans of other
5 municipalities in the region and with the regional plan and shall include the
6 following:

7 * * *

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

10 * * *

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

16 * * *

17 Sec. 27. 10 V.S.A. § 6081 is amended to read:

18 § 6081. PERMITS REQUIRED; EXEMPTIONS

19 * * *

20 (z) Tier exemptions.

1 person with title to property in this State. The amount of the tax equals one
2 and one-quarter percent of the value of the property transferred, or \$1.00,
3 whichever is greater, except as follows:

4 (1) With respect to the transfer of property to be used for the principal
5 residence of the transferee, the tax shall be imposed at the rate of five-tenths of
6 one percent of the first \$100,000.00 in value of the property transferred and at
7 the rate of one and one-quarter percent of the value of the property transferred
8 in excess of \$100,000.00; except that no tax shall be imposed on the first
9 \$110,000.00 in value of the property transferred if the purchaser obtains a
10 purchase money mortgage funded in part with a homeland grant through the
11 Vermont Housing and Conservation Trust Fund or that the Vermont Housing
12 and Finance Agency or U.S. Department of Agriculture and Rural
13 Development has committed to make or purchase; and tax at the rate of one
14 and one-quarter percent shall be imposed on the value of that property in
15 excess of \$110,000.00.

16 * * *

17 (4) With respect to the transfer of residential property that will not be
18 used as the principal residence of the transferee, and for which the transferee
19 will not be required to provide a landlord certificate pursuant to section 6069
20 of this title, the tax shall be imposed at the rate of two and one-half percent of
21 the value of the property transferred.

1 Sec. 30. 10 V.S.A. § 312 is amended to read:

2 § 312. CREATION OF VERMONT HOUSING AND CONSERVATION
3 TRUST FUND

4 There is created a special fund in the State Treasury to be known as the
5 “Vermont Housing and Conservation Trust Fund.” The Fund shall be
6 administered by the Board and expenditures therefrom shall only be made to
7 implement and effectuate the policies and purposes of this chapter. The Fund
8 shall be comprised of 60 percent of the revenue collected under subdivision
9 9602(a)(4) of title 32, 50 percent of the revenue from ~~the property transfer tax~~
10 ~~under 32 V.S.A. chapter 231~~ all other subdivisions of 9602(a) of title 32, and
11 any monies from time to time appropriated to the Fund by the General
12 Assembly or received from any other source, private or public, approved by
13 the Board. Unexpended balances and any earnings shall remain in the Fund for
14 use in accord with the purposes of this chapter.

15 Sec. 31. 24 V.S.A. § 4306(a) is amended to read:

16 (a)(1) The Municipal and Regional Planning Fund for the purpose of
17 assisting municipal and regional planning commissions to carry out the intent
18 of this chapter is hereby created in the State Treasury.

19 (2) The Fund shall be composed of 23.5 percent of the revenue collected
20 under subdivision 9602(a)(4) of title 32, 17 percent of the revenue from ~~the~~
21 ~~property transfer tax under 32 V.S.A. chapter 231~~ all other subdivisions of

1 9602(a) of title 32, and any monies from time to time appropriated to the Fund
2 by the General Assembly or received from any other source, private or public.
3 All balances at the end of any fiscal year shall be carried forward and remain in
4 the Fund. Interest earned by the Fund shall be deposited in the Fund.

5 (3) Of the revenues in the Fund, each year:

6 (A) 10 percent shall be disbursed to the Vermont Center for
7 Geographic Information;

8 (B) 70 percent shall be disbursed to the Secretary of Commerce and
9 Community Development for performance contracts with regional planning
10 commissions to provide regional planning services pursuant to section 4341a
11 of this title; and

12 (C) 20 percent shall be disbursed to municipalities.

13 Sec. 32. 32 V.S.A. § 435(b) shall be amended to read:

14 (b) The General Fund shall be composed of revenues from the following
15 sources:

16 (1) alcoholic beverage tax levied pursuant to 7 V.S.A. chapter 15;

17 (2) [Repealed.]

18 (3) [Repealed.]

19 (4) corporate income and franchise taxes levied pursuant to chapter 151
20 of this title;

21 (5) individual income taxes levied pursuant to chapter 151 of this title;

- 1 (6) all corporation taxes levied pursuant to chapter 211 of this title;
- 2 (7) 69 percent of the meals and rooms taxes levied pursuant to chapter
- 3 225 of this title;
- 4 (8) [Repealed.]
- 5 (9) [Repealed.]
- 6 (10) 16.5 percent of the revenue collected under subdivision 9602(a)(4)
- 7 of title 32, 33 percent of the revenue from the property transfer taxes levied
- 8 pursuant to chapter 231 of this title all other subdivisions of 9602(a) of title 32,
- 9 and the revenue from the gains taxes levied each year pursuant to chapter 236
- 10 of this title; and
- 11 (11) [Repealed.]
- 12 (12) all other revenues accruing to the State not otherwise required by
- 13 law to be deposited in any other designated fund or used for any other
- 14 designated purpose.

15 * * * H.166 * * *

16 Sec. 33. 32 V.S.A. § 5811(21)(C) is amended to read:

17 (C) decreased by the following exemptions and deductions:

18 * * *

19 (iv) an amount equal to the itemized deduction for medical

20 expenses taken at the federal level by the taxpayer; under 26 U.S.C. § 213;

1 (⊕) minus the amount of the Vermont standard deduction and
2 Vermont personal exemptions taken by the taxpayer under this subdivision

3 (C); and

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

10 * * * Vermont Rental Housing Improvement Program * * *

11 Sec. 37. 10 V.S.A. § 699 is amended to read:

12 § 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

13 (a) Creation of Program.

14 (1) The Department of Housing and Community Development shall
15 design and implement the Vermont Rental Housing Improvement Program,
16 through which the Department shall award funding to statewide or regional
17 nonprofit housing organizations, or both, to provide competitive ~~grants and~~
18 forgivable loans to private landlords for the rehabilitation, including
19 weatherization and accessibility improvements, of eligible rental housing units.

1 (d) Program requirements applicable to grants and forgivable loans.

2 (1) A ~~grant or~~ loan shall not exceed ~~\$50,000.00~~ \$70,000.00 per unit. In
3 determining the amount of a ~~grant or~~ loan, a housing organization shall
4 consider the number of bedrooms in the unit and whether the unit is being
5 rehabilitated or newly created.

6 * * *

7 (e) Program requirements applicable to grants and five-year forgivable
8 loans. For a grant or five-year forgivable loan awarded through the Program,
9 the following requirements apply for a minimum period of five years:

10 * * *

11 (4)(A) A landlord may convert a grant to a forgivable loan upon
12 approval of the Department and the housing organization that approved the
13 grant.

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

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

20 * * *

21 Sec. 38. VERMONT RENTAL HOUSING IMPROVEMENT

1 APPROPRIATION

2 The sum of \$5,000,000.00 is appropriated from the General Fund to the
3 Department of Housing and Community Development in fiscal year 2025 for
4 the Vermont Housing Improvement Program established in 10 V.S.A. § 699.

5 * * * Manufactured Home Improvement and Repair Program * * *

6 Sec. 39. 2022 Acts and Resolves No. 182, Sec. 3, as amended by 2023 Acts
7 and Resolves No. 3, Sec. 75 and 2023 Acts and Resolves No. 78, Sec. C.119,
8 is further amended to read:

9 Sec. 3. MANUFACTURED HOME IMPROVEMENT AND

10 REPLACEMENT PROGRAM

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

14 * * *

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

21 Sec. 40. MANUFACTURED HOME IMPROVEMENT AND REPAIR

1 PROGRAM APPROPRIATION

2 The sum of \$2,000,000.00 is appropriated from the General Fund to the
3 Department of Housing and Community Development in fiscal year 2025 for
4 the Manufactured Home Improvement and Repair Program established by
5 2022 Acts and Resolves No. 182, Sec. 3, and amended from time to time.

6 * * * Healthy Homes Initiative * * *

7 Sec. 41. HEALTHY HOMES INITIATIVE APPROPRIATION

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

11 * * * Middle-Income Homeownership * * *

12 Sec. 42. 2023 Acts and Resolves No. 47, Sec. 36 is amended to read:

13 MIDDLE-INCOME HOMEOWNERSHIP DEVELOPMENT PROGRAM

14 * * *

15 (d) The total amount of subsidies for a project shall not exceed 35 percent
16 of eligible development costs, as determined by the Agency, ~~which the~~ at the
17 time of approval of the project, unless the Agency later determines that the
18 project will not result in affordable owner-occupied housing for income-
19 eligible homebuyers without additional subsidy, in which case the Agency may
20 reasonably exceed this limitation and only to the extent required to achieve

1 affordable owner-occupied housing. The Agency ~~may~~ shall allocate subsidies
2 consistent with the following:

3 (1) Developer subsidy. The Agency may provide a direct subsidy to the
4 developer, which shall not exceed the difference between the cost of
5 development and the market value of the home as completed.

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

10 (A) the Agency includes conditions in the subsidy, agreement or uses
11 another legal mechanism, to ensure that, ~~to the extent the home value has risen,~~
12 ~~the amount of the subsidy~~ upon sale of the home, to the extent proceeds are
13 available, the amount of the affordability subsidy either:

14 (i) remains with the home to offset the cost to future homebuyers;
15 or

16 (ii) is recaptured by the Agency upon sale of the home for use in a
17 similar program to support affordable homeownership development; or

18 (B) the subsidy is subject to a housing subsidy covenant, as defined
19 in 27 V.S.A. § 610, that preserves the affordability of the home for a period of
20 99 years or longer.

1 (f) Annually on or before October 31, the Department shall prepare and,
2 subject to the requirements of subsection (i), make available to a member of
3 the public upon request a database in the form of a sortable spreadsheet that
4 contains the following information for each rental unit for which the
5 Department received a certificate pursuant to this section:

6 (1) name of owner or landlord;

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

9 (3) location of rental unit;

10 (4) type of rental unit;

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

12 (6) School Property Account Number.;

13 (7) year built;

14 (8) accessibility of rental unit; and

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

16 (g) Annually on or before December 15, the Department shall submit a
17 report on the aggregated data collected under this section to the Senate
18 Committee on Economic Development, Housing and General Affairs and the
19 House Committee on General and Housing.

20 (h) Within three days after a State declaration of a state of emergency under
21 20 V.S.A. chapter 1, a federal emergency declaration covering any portion of

1 the State, or reliable notice that the State is under imminent threat of an
2 emergency, whichever is earliest, the Department shall provide any data
3 compiled from the certificates received under this section to the Division of
4 Vermont Emergency Management at the Department of Public Safety and any
5 other appropriate State department or agency. The Department shall be
6 deemed to have satisfied the requirements of this subsection if it has provided
7 the data as required under this subsection within the 30 days preceding the
8 emergency declaration.

9 (i) Any data obtained under this section shall be protected pursuant to 1
10 V.S.A. § 317(c)(2) and may only be released to specifically designated persons
11 who, in the discretion of the Department, shall use such data to further the
12 public good. Data obtained under this section may not be disclosed to entities
13 for the purposes of solicitation campaigns without express authority granted by
14 the Department. Data about a specific unit may be disclosed to the owner or
15 operator of the rental unit.

16 * * * Short-Term Rental Safety Regulation * * *

17 Sec. 45. 18 V.S.A. § 4303 is amended to read:

18 § 4303. RULEMAKING

19 (a) The Commissioner shall adopt rules pursuant to 3 V.S.A. chapter 25 to
20 establish minimum standards for the safe and sanitary operation of food or
21 lodging establishments, ~~or~~ children's camps, short-term rentals, or any

1 combination thereof and for their administration and enforcement. The rules
2 shall require that an establishment or short-term rental be constructed,
3 maintained, and operated with strict regard for the health of the employees and
4 the public pursuant to the following general requirements:

5 * * *

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

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

12 * * *

13 Sec. 46. 18 V.S.A. § 4468 is amended to read:

14 § 4468. EDUCATIONAL MATERIALS; COMPLAINTS

15 (a) The Department of Health, in collaboration with the Department of
16 Public Safety’s Division of Fire Safety, shall prepare a packet of information
17 pertaining to the health, safety, and financial obligations of short-term rental
18 operators, including information regarding the importance of reviewing options
19 for property and liability insurance with the operator’s insurance company.

20 (b) Included with the information packet set forth in subsection (a) of this
21 section shall be a ~~self~~-certification form pertaining to health and safety

1 precautions that short-term rental operators must take into consideration prior
2 to renting a unit. ~~The form shall be retained by the operator and need not be~~
3 ~~filed with the Department.~~ A short-term rental operator shall file the form with
4 the Department and shall make the form available to a renter upon request.

5 (c) A renter of a short-term rental may file a complaint with the Department
6 of Public Safety’s Division of Fire Safety if the renter believes the short-term
7 rental is in violation of the health and safety standards set forth in the
8 information packet provided under subsection (a) of this section.

9 (d) If a complaint issued under subsection (c) of this section results in an
10 inspection for a short-term rental, the Commissioner shall give consideration in
11 any hearing or order under section 4307 of this title to whether the operator of
12 the short-term rental disclosed any potential health or safety violations under
13 this chapter in the certification form filed with the Department under
14 subsection (b) of this section.

15 * * * Flood Risk Disclosure * * *

16 Sec. 47. 27 V.S.A. § 380 is added to read:

17 § 380. DISCLOSURE OF INFORMATION; CONVEYANCE OF REAL

18 ESTATE

19 (a) Prior to or as part of a contract for the conveyance of real property, the
20 seller shall provide notice to the buyer whether the property is subject to any
21 requirement under federal law to obtain and maintain flood insurance on the

1 property. This notice shall be provided in a clear and conspicuous manner in a
2 separate written document and attached as an addendum to the contract.

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

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

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

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

21 Sec. 48. 9 V.S.A. § 4466 is added to read:

1 § 4466. REQUIRED DISCLOSURE

2 A landlord shall disclose in advance of entering a rental agreement with a
3 tenant whether any portion of the premises offered for rent is located in a
4 Federal Emergency Management Agency mapped flood hazard area. This
5 notice shall be provided in a separate written document given to the tenant at
6 or before execution of the lease.

7 Sec. 49. 10 V.S.A. § 6236(e) is amended to read:

8 (e) All mobile home lot leases shall contain the following:

9 * * *

10 (8) Notice that the mobile home park is in a flood hazard area if any lot
11 within the mobile home park is wholly or partially located in a flood hazard
12 area according to the flood insurance rate map effective for the mobile home
13 park at the time the proposed lease is furnished to a prospective leaseholder.
14 This notice shall be provided in a clear and conspicuous manner in a separate
15 written document attached as an addendum to the proposed lease.

16 Sec. 50. 10 V.S.A. § 6201 is amended to read:

17 § 6201. DEFINITIONS

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

19 * * *

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

1 Sec. 52. MOBILE HOME PARK INFRASTRUCTURE NEEDS

2 ASSESSMENT

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

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

11 Sec. 53. MANUFACTURED HOME IMPROVEMENT AND REPAIR

12 PROGRAM APPROPRIATIONS; INFRASTRUCTURE; MOBILE
13 HOME REPAIR

14 (a) The sum of \$1,000,000.00 is appropriated from the General Fund to the
15 Department of Housing and Community Development in fiscal year 2025 for
16 improvements to mobile home park infrastructure under the Manufactured
17 Home Improvement and Repair Program established by 2022 Acts and
18 Resolves No. 182, Sec. 3, and amended from time to time.

19 (b) The sum of \$1,000,000.00 is appropriated from the General Fund to the
20 Department of Housing and Community Development in fiscal year 2025 for
21 expanding the Home Repair Awards program under the Manufactured Home

1 Improvement and Repair Program established by 2022 Acts and Resolves No.
2 182, Sec. 3, and amended from time to time.

3 Sec. 54. MOBILE HOME TECHNICAL ASSISTANCE APPROPRIATION

4 The sum of \$1,000,000.00 is appropriated from the General Fund to the
5 Office of Economic Opportunity within the Department for Children and
6 Families for a subgrant to the Champlain Valley Office of Economic
7 Opportunity in fiscal year 2025 to fund technical assistance programs under the
8 Mobile Home Program.

9 * * * Age-Restricted Housing * * *

10 Sec. 55. 10 V.S.A. § 325c is added to read:

11 § 325c. AGE-RESTRICTED HOUSING; RIGHT OF FIRST REFUSAL

12 All subsidized age-restricted housing within the State offered for sale by a
13 private owner shall also be offered to the Board. The offer shall be made in
14 writing and shall be sent by certified mail to the Board. The offer shall include
15 a description of the property, the price, and any terms, reservations, or
16 conditions the owner proposes to include as part of the sale. Within 30 days,
17 the Board shall accept or reject the offer. If the Board does not accept the offer
18 within the 30-day period, the Board’s preferential right under this section shall
19 terminate.

20 Sec. 56. [10 V.S.A. § 325d] is added to read:

21 § 325d. AGE-RESTRICTED HOUSING; RENT INCREASE; NOTICE

1 (a) An owner of [subsidized] age-restricted housing within the State shall
2 provide written notification on a form provided by the [Department of Housing
3 and Community Development to [Entity]] and all the affected residents of any
4 rent increase no later than 60 days before the effective date of the proposed
5 increase. The notice shall include all the following:

6 (1) the amount of the proposed rent increase;

7 (2) the effective date of the increase;

8 (3) a copy of the resident’s rights pursuant to this section; and

9 (4) the percentage of increase from the current base rent.

10 (b) If the owner fails to notify either the residents or the [Entity] of a rent
11 increase as required by subsection (a) of this section, the proposed rent
12 increase shall be ineffective and unenforceable.

13 * * * Housing Retention Funding * * *

14 Sec. 57. APPROPRIATION; RENT ARREARS ASSISTANCE FUND

15 The sum of \$5,000,000.00 is appropriated from the General Fund to the
16 Vermont State Housing Authority in fiscal year 2025 for the Rent Arrears
17 Assistance Fund established by 2023 Acts and Resolves No. 47, Sec. 45.

18 Sec. 58. APPROPRIATION; LANDLORD RELIEF PROGRAM

19 The sum of \$5,000,000.00 is appropriated from the General Fund to the
20 Vermont State Housing Authority in fiscal year 2025 for the Landlord Relief

1 Program to assist landlords eligible to access relief due to participation in the
2 Section 8 project-based voucher program.

3 * * *Land Bank Study * * *

4 Sec. 59. LAND BANK STUDY

5 (a) The Department of Housing and Community Development and the
6 Vermont League of Cities and Towns shall analyze the feasibility of a land
7 bank program that would identify, acquire, and restore to productive use
8 vacant, abandoned, contaminated, and distressed properties. The Department
9 and the League shall engage with local municipalities, regional organizations,
10 community organizations, and other stakeholders to explore:

11 (1) existing authority for public interest land acquisition for
12 redevelopment and use;

13 (2) successful models and best practices for land bank programs in
14 Vermont and other jurisdictions, including local, regional, nonprofit, state, and
15 hybrid approaches that leverage the capacities of diverse communities and
16 organizations within Vermont;

17 (3) potential benefits and challenges to creating and implementing a
18 land bank program in Vermont;

19 (4) alternative approaches to State and municipal land acquisition,
20 including residual value life estates and eminent domain, for purposes of

1 revitalization and emergency land management, including for placement of
2 trailers and other temporary housing;

3 (5) funding mechanisms and resources required to establish and operate
4 a land bank program; and

5 (6) the legal and regulatory framework required to govern a State land
6 bank program.

7 (b) On or before December 15, 2024, the Department of Housing and
8 Community Development and the Vermont League of Cities and Towns shall
9 submit a report to the Senate Committee on Economic Development, Housing
10 and General Affairs and the House Committee on General and Housing with
11 its findings and recommendations, including proposed draft legislation for the
12 establishment and operation of a land bank.

13 * * * Rent Payment Reporting Study * * *

14 Sec. 60. RENT PAYMENT REPORTING STUDY

15 (a) To facilitate the development of a pilot program for housing providers
16 to report tenant rent payments for inclusion in consumer credit reports, the
17 Office of the State Treasurer shall study:

18 (1) any entities currently facilitating landlord credit reporting;

19 (2) the number of landlords in Vermont utilizing rent payment software,
20 related software expenses, and the need for or benefit of utilizing software for
21 positive pay reporting;

1 (3) the impacts on tenants from rent payment reporting programs,
2 including, if feasible, data gathered from the Champlain Housing Trust’s
3 program;

4 (4) any logistical steps the State must take to facilitate the program and
5 any associated administrative costs; and

6 (5) any other issues the Treasurer deems appropriate for facilitating the
7 development of the pilot program.

8 (b) On or before December 15, 2024, the Treasurer shall submit a report to
9 the Senate Committee on Economic Development, Housing and General
10 Affairs with its findings and recommendations, which may be in the form of
11 proposed legislation.

12 * * * Evictions Study * * *

13 **Sec. 61. EVICTIONS; STUDY**

14 (a) Creation. There is created the Evictions Study Committee to review
15 and consider modernizing the current evictions process in Vermont.

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

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

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

1 (3) a representative of Vermont Legal Aid with experience defending
2 tenants in evictions actions, appointed by {whomever};

3 (4) a representative of the Vermont Landlords Association, appointed by
4 {whomever}; and

5 (5) a representative of [entity], appointed by {whomever}.

6 (c) Powers and duties. The Committee shall study issues with Vermont’s
7 current evictions process, including the following issues:

8 (1) the impact of evictions policies on rental housing availability;

9 (2) whether current termination notice periods and evictions processing
10 timelines reflect the appropriate balance between landlord and tenant interests;

11 (3) practical obstacles to the removal of unlawful occupants; and

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

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

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

21 (f) Meetings.

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

3 (c) Notwithstanding 1 V.S.A. § 214, Sec. Z (medical expenses deduction)
4 shall take effect retroactively on January 1, 2023 and shall apply to taxable
5 years beginning on and after January 1, 2023.

6 (d) All other sections shall take effect on July 1, 2024.

7