

1 TO THE HONORABLE SENATE:

2 The Committee on Finance to which was referred House Bill No. 546
3 entitled “An act relating to administrative and policy changes to tax laws”
4 respectfully reports that it has considered the same and recommends that the
5 Senate propose to the House that the bill be amended by striking out all after
6 the enacting clause and inserting in lieu thereof the following:

7 * * * Per Parcel Fee for Property Reappraisal * * *

8 Sec. 1. 32 V.S.A. § 4041a is amended to read:

9 § 4041a. REAPPRAISAL

10 (a) A municipality shall be paid \$8.50 per grand list parcel per year from
11 the ~~Education~~ General Fund to be used only for reappraisal and costs related to
12 reappraisal of its grand list properties and for maintenance of the grand list.

13 * * *

14 Sec. 2. 32 V.S.A. § 5412 is amended to read:

15 § 5412. REDUCTION OF LISTED VALUE AND RECALCULATION OF
16 EDUCATION TAX LIABILITY

17 (a)(1) If a listed value is reduced as the result of an appeal or court action
18 made pursuant to section 4461 of this title, a municipality may submit a
19 request for the Director of Property Valuation and Review to recalculate its
20 education property tax liability for the education grand list value lost due to a
21 determination, declaratory judgment, or settlement. The Director shall

1 recalculate the municipality’s education property tax liability for each year at
2 issue, in accord with the reduced valuation, provided that:

3 (A) The reduction in valuation is the result of an appeal under chapter
4 131 of this title to the Director of Property Valuation and Review or to a court,
5 with no further appeal available with regard to that valuation, or any judicial
6 decision with no further right of appeal, or a settlement of either an appeal or
7 court action if the Director determines that the settlement value is the fair
8 market value of the parcel. The Director may waive the requirement of
9 continuing an appeal or court action until there is no further right of appeal if
10 the Director concludes that the value determined by an adjudicated decision is
11 a reasonable representation of the fair market value of the parcel.

12 (B) The municipality submits the request on or before January 15 for
13 a request involving an appeal or court action resolved within the previous
14 calendar year.

15 (C) [Repealed.]

16 (D) The Director determines that the municipality’s actions were
17 consistent with best practices published by the Property Valuation and Review
18 in consultation with the Vermont Assessors and Listers Association. The
19 municipality shall have the burden of showing that its actions were consistent
20 with the Director’s best practices.

21 * * *

1 credit of a claimant who was assessed property tax by a town that revised the
2 dates of its fiscal year, however, is the excess of the property tax that was
3 assessed in the last 12 months of the revised fiscal year, over the adjusted
4 property tax of the claimant for the revised fiscal year, as determined under
5 section 6066 of this title, related to a homestead owned by the claimant.

6 * * *

7 (d) ~~For late claims filed after April 15, the property tax credit amount shall~~
8 ~~be reduced by \$15.00 [Repealed.]~~

9 * * *

10 Sec. 7. 32 V.S.A. § 6068 is amended to read:

11 § 6068. APPLICATION AND TIME FOR FILING

12 (a) A property tax credit claim or request for allocation of an income tax
13 refund to homestead property tax payment shall be filed with the
14 Commissioner on or before the due date for filing the Vermont income tax
15 return, without extension, and shall describe the school district in which the
16 homestead property is located and shall particularly describe the homestead
17 property for which the credit or allocation is sought, including the school
18 parcel account number prescribed in subsection 5404(b) of this title. A renter
19 credit claim shall be filed with the Commissioner on or before the due date for
20 filing the Vermont income tax return, without extension.

1 (b) ~~If the claimant fails to file a timely claim, the amount of the property~~
2 ~~tax credit under this chapter shall be reduced by \$15.00, but not below \$0.00,~~
3 ~~which shall be paid to the municipality for the cost of issuing an adjusted~~
4 ~~homestead property tax bill.~~ If the claimant files a claim after October 15 but
5 on or before March 15 of the following calendar year, the property tax credit
6 under this chapter:

7 (1) shall be reduced in amount by \$150.00, but not below \$0.00;

8 (2) shall be issued directly to the claimant; and

9 (3) shall not require the municipality where the claimant's property is
10 located to issue an adjusted homestead property tax bill.

11 (c) No request for allocation of an income tax refund or for a renter credit
12 claim may be made after October 15. No property tax credit claim may be
13 made after March 15 of the calendar year following the due date under
14 subsection (a) of this section.

15 * * * Utility Property Valuation * * *

16 Sec. 8. 32 V.S.A. § 4452 is amended to read:

17 § 4452. VALUATIONS

18 (a) On or before May 1 of each year, the Division of Property Valuation
19 and Review of the Department of Taxes shall furnish the listers in each town or
20 city with the valuation of all taxable property of any public utility situated
21 therein as reported by such utility to the Division.

1 (b) Each public utility shall furnish to the Division not later than March 31
2 in each year a sworn inventory of all its taxable property in such form as will
3 show the valuation of its property in each town, city, or other municipality.

4 (c) The Division shall prescribe the form of such report and the officer or
5 officers who shall make oath thereto.

6 (d) The valuations ~~so~~ furnished under this section shall be considered along
7 with any other information as may reasonably be required by ~~such~~ listers in
8 determining and fixing the valuations of ~~such~~ property for the purposes of ~~local~~
9 property taxation. The Division may require that each municipality use certain
10 valuations furnished under this section. The valuations provided by the
11 Division for property used for the transmission and distribution of electricity
12 shall be used by the listers as the valuations of that property for purposes of
13 property taxation.

14 * * * Property Tax Exemptions * * *

15 Sec. 9. 32 V.S.A. § 3802(22) is added to read:

16 (22) Real and personal estate owned by a county of this State, except
17 land and buildings outside of a county's territorial limits shall be subject to
18 municipal property tax by the municipality in which the land or buildings are
19 situated. Notwithstanding the preceding provision, the exemption for public,
20 pious, and charitable uses under subdivision (4) of this section shall be

1 available for qualifying county land and buildings outside of the county's
2 territorial limits.

3 * * * Fuel Tax * * *

4 Sec. 10. 33 V.S.A. § 2503(d) is amended to read:

5 (d) No tax under this section shall be imposed for any month ending after
6 June 30, ~~2024~~ 2029.

7 * * * Health IT Fund Sunset Extension * * *

8 Sec. 11. 2013 Acts and Resolves No. 73, Sec. 60(10), as amended by 2017
9 Acts and Resolves No. 73, Sec. 14, 2018 Acts and Resolves No. 187, Sec. 5,
10 2019 Acts and Resolves No. 71, Sec. 21, 2021 Acts and Resolves No. 73,
11 Sec. 14, and 2023 Acts and Resolves No. 78, Sec. E.306.1, is further amended
12 to read:

13 (10) Secs. 48–51 (health care claims tax) shall take effect on July 1,
14 2013 and Sec. 52 (Health IT-Fund; sunset) shall take effect on July 1, ~~2025~~
15 2026.

16 Sec. 12. 2019 Acts and Resolves No. 6, Sec. 105, as amended by 2019 Acts
17 and Resolves No. 71, Sec. 19, 2022 Acts and Resolves No. 83, Sec. 75, and
18 2023 Acts and Resolves No. 78, Sec. E.306.2, is further amended to read:

19 Sec. 105. EFFECTIVE DATES

20 * * *

1 (b) Sec. 73 (further amending 32 V.S.A. § 10402) shall take effect on July 1,
2 ~~2025~~ 2026.

3 * * *

4 Sec. 13. 32 V.S.A. § 9701(12) is amended to read:

5 (12)(A) “Casual sale” means an isolated or occasional sale of an item of
6 tangible personal property by a person who is not regularly engaged in the
7 business of making sales of that general type of property at retail where the
8 property was obtained by the person making the sale, through purchase or
9 otherwise, for ~~his or her~~ the person’s own use.

10 (B) Aircraft as defined in 5 V.S.A. § 202(6), snowmobiles as defined
11 in 23 V.S.A. § 3201(5), all-terrain vehicles as defined in 23 V.S.A. § 3501(1),
12 motorboats as defined in 23 V.S.A. § ~~3302(4)~~ 3302(6), and vessels as defined
13 in 23 V.S.A. § ~~3302(11)~~ 3302(17) that are 16 feet or more in length are hereby
14 specifically excluded from the definition of casual sale.

15 Sec. 14. 32 V.S.A. § 9746 is amended to read:

16 § 9746. SNOWMOBILE, ALL-TERRAIN VEHICLE, MOTORBOAT, AND
17 VESSEL SALES

18 (a) If a person sells a snowmobile, all-terrain vehicle, motorboat, or vessel
19 and within three months purchases another such vehicle or vessel, “sales price”
20 for purposes of the tax on the new vehicle or vessel shall exclude the lesser of:

21 (1) the sale price of the first vehicle or vessel; or

1 (b) The State Registrar shall waive the fee for certified copies of vital event
2 certificates issued to:

3 (1) an individual attesting to a lack of fixed, regular, and adequate
4 nighttime residence; and

5 (2) an individual between 18 and 24 years of age who resided in a foster
6 home or residential child care facility between 16 and 18 years of age pursuant
7 to placement by a child-placing agency.

8 Sec. 16. 8 V.S.A. § 4800(2)(A)(iii) is amended to read:

9 (iii) Except as provided in subdivisions (I) and (II) of this
10 subdivision, initial and annual producer appointment fees for each qualification
11 set forth in section 4813g of subchapter 1A of this chapter for resident and
12 nonresident producers acting as agents of foreign insurers, ~~\$60.00~~ \$80.00:

13 Sec. 17. 9 V.S.A. § 5302(e) is amended to read:

14 (e) At the time of the filing of the information prescribed in subsection (a),
15 (b), (c), or (d) of this section, except investment companies subject to 15
16 U.S.C. § 80a-1 et seq., the issuer shall pay to the Commissioner a fee of
17 ~~\$600.00~~ \$820.00. The fee is nonrefundable.

18 Sec. 18. 9 V.S.A. § 5302(f) is amended to read:

19 (f) Investment companies subject to 15 U.S.C. § 80a-1 et seq. shall pay to
20 the Commissioner an initial notice filing fee of ~~\$2,000.00~~ \$2,250.00 and an

1 annual renewal fee of ~~\$1,650.00~~ \$2,000.00 for each portfolio or class of
2 investment company securities for which a notice filing is submitted.

3 Sec. 19. 9 V.S.A. § 5410(b) is amended to read:

4 (b) The fee for an individual is ~~\$120.00~~ \$140.00 when filing an application
5 for registration as an agent, ~~\$120.00~~ \$140.00 when filing a renewal of
6 registration as an agent, and ~~\$120.00~~ \$140.00 when filing for a change of
7 registration as an agent. The fee is nonrefundable.

8 * * * Local Option Tax * * *

9 Sec. 20. 24 V.S.A. § 138 is amended to read:

10 § 138. LOCAL OPTION TAXES

11 (a) Local option taxes are authorized under this section for the purpose of
12 affording municipalities an alternative method of raising municipal revenues to
13 ~~facilitate the transition and reduce the dislocations in those municipalities that~~
14 ~~may be caused by reforms to the method of financing public education under~~
15 ~~the Equal Educational Opportunity Act of 1997. Accordingly:~~

16 ~~(1) the local option taxes authorized under this section may be imposed~~
17 ~~by a municipality;~~

18 ~~(2) a municipality opting to impose a local option tax may do so prior to~~
19 ~~July 1, 1998 to be effective beginning January 1, 1999, and anytime after~~
20 ~~December 1, 1998 a~~ A local option tax shall be effective beginning on the next

1 tax quarter following 90 days' notice to the Department of Taxes of the
2 imposition; and

3 ~~(3) a local option tax may only be adopted by a municipality in which:~~

4 ~~(A) the education property tax rate in 1997 was less than \$1.10 per~~
5 ~~\$100.00 of equalized education property value; or~~

6 ~~(B) the equalized grand list value of personal property, business~~
7 ~~machinery, inventory, and equipment is at least ten percent of the equalized~~
8 ~~education grand list as reported in the 1998 Annual Report of the Division of~~
9 ~~Property Valuation and Review; or~~

10 ~~(C) the combined education tax rate of the municipality will increase~~
11 ~~by 20 percent or more in fiscal year 1999 or in fiscal year 2000 over the rate of~~
12 ~~the combined education property tax in the previous fiscal year.~~

13 (b) If the legislative body of a municipality by a majority vote
14 recommends, the voters of a municipality may, at an annual or special meeting
15 warned for that purpose, by a majority vote of those present and voting, assess
16 any or all of the following:

17 (1) a one percent sales tax;

18 (2) a one percent meals and alcoholic beverages tax;

19 (3) a one percent rooms tax.

20 * * *

21 * * * Effective Dates * * *

1 Sec. 21. EFFECTIVE DATES

2 (a) This section, Secs. 1 (reappraisals), 2 (property valuation and review
3 waiver), 9 (exemption for county-owned property), 10 (fuel tax extension), and
4 11 and 12 (extension of Health IT Fund) shall take effect on passage.

5 (b) Notwithstanding 1 V.S.A. § 214, Secs. 3 and 4 (link to federal income
6 tax laws) shall take effect retroactively on January 1, 2024 and apply to taxable
7 years beginning on and after January 1, 2023.

8 (c) Sec. 5 (renter credit expansion) shall take effect on passage and apply to
9 claim years 2025 and after.

10 (d) Secs. 6 and 7 (repeal of property tax credit late fee) shall take effect on
11 passage and apply to claim years 2024 and after.

12 (e) Sec. 8 (utility property valuation) shall take effect on passage and apply
13 to grand lists filed on or after April 1, 2025.

14 (f) Secs. 13 and 14 (casual sales of ATVs), 15 (fee waiver for vital event
15 certificates), 16 (insurance appointment fee), 17–18 (securities filing fees), 19
16 (registration fee for agents of securities brokers and issuers), and 20 (local
17 option taxes) shall take effect on July 1, 2024.

18

19

20

21 (Committee vote: _____)

1

2

Senator _____

3

FOR THE COMMITTEE