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H.754

Introduced by Representatives Troiano of Stannard, Strong of Albany, and
Young of Glover

Referred to Committee on

Date:

Subject: State property; rail; leases

Statement of purpose of bill as introduced: This bill proposes to prohibit the
Agency of Transportation from charging rent to an owner or to an occupant of
a residence located on State rail property if certain conditions are satisfied.

An act relating to residences on State rail property

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

Sec. 1. 19 V.S.A. § 26a is amended to read:

§ 26a. DETERMINATION OF RENT TO BE CHARGED FOR LEASING
OR LICENSING STATE-OWNED PROPERTY UNDER THE
AGENCY'S JURISDICTION

(a)(1) Except as otherwise provided by ~~subsection (b) of~~ in this section, or
as otherwise provided by law, leases or licenses negotiated by the Agency
under 5 V.S.A. §§ 204 and 3405 and section 26 and subsection 1703(d) of this
title ordinarily shall require the payment of fair market value rent, as
determined by the prevailing area market prices for comparable space or

1 property. However, the Agency may lease or license State-owned property
2 under its jurisdiction for less than fair market value when the Agency
3 determines that the proposed occupancy or use serves a public purpose or that
4 there exist other relevant factors, such as a prior course of dealing between the
5 parties, that justify setting rent at less than fair market value.

6 (2) The Agency shall not charge rent to an owner or to an occupant of a
7 residence located on State rail property if the Agency has not charged rent
8 during 15 or more years of its continuous occupancy as a residence and if the
9 residence is a registered historic place. However, the Agency may require the
10 owner or occupant of the property, or both, to adhere to standard terms and
11 conditions contained in rail property lease agreements.

12 * * *

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on passage.