

1 H.968

2 Introduced by Committee on Appropriations

3 Date:

4 Subject: Appropriations; economic development; Vermont Coronavirus

5 Economic Stimulus Equity Program

6 Statement of purpose of bill as introduced: This bill proposes to establish a

7 Vermont Coronavirus Economic Stimulus Equity Program.

8 An act relating to the Vermont Coronavirus Economic Stimulus Equity  
9 Program

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

11 Sec. 1. VERMONT CORONAVIRUS ECONOMIC STIMULUS EQUITY

12 PROGRAM

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

14 (1) “CARES Act” means the Coronavirus Aid, Relief, and Economic  
15 Security Act (CARES Act), Pub. L. No. 116–136.

16 (2) “Economic Impact Payment” means a recovery rebate for  
17 individuals authorized under section 2201 of the CARES Act as codified in  
18 26 U.S.C. § 6428.

19 (3) “Eligible adult” means any individual who is a current resident of  
20 Vermont, was a resident of Vermont on April 1, 2020, and was ineligible to

1 receive an economic impact payment under the CARES Act due to  
2 immigration status.

(4) “Eligible child” means an individual under 18/17 years of age for  
whom an eligible adult is a parent or guardian.

3 (5) “Personally identifiable information” means an individual’s:

4 (A) name;

5 (B) address;

6 (C) date of birth;

7 (D) place of birth;

8 (E) immigration status;

9 (F) unique biometric data generated from measurements or technical  
10 analysis of human body characteristics used to identify or authenticate the  
11 individual, such as a fingerprint, retina or iris image, or other unique physical  
12 representation or digital representation of biometric data;

13 (G) name or address of a member of the individual’s immediate  
14 family or household;

15 (H) Social Security number or other government-issued identification  
16 number; or

17 (I) other information that, either alone or in combination with the  
18 information listed in subdivisions (A)–(H) of this subdivision (5), would allow  
19 a reasonable person to identify the individual with reasonable certainty.

1           (6) “Resident of Vermont” means any individual living in Vermont who  
2           intends to make the State his or her principal place of domicile either  
3           permanently or for an indefinite number of years. Individuals who live in the  
4           State for a particular purpose involving a defined period of time, including  
5           students, migrant workers employed in seasonal occupations, and individuals  
6           employed under a contract with a fixed term, are not residents for purposes of  
7           this section.

8           (b) Establishment of Program; eligibility; maximum award.

9           (1) On or before November 15, 2020, the Agency of Administration  
10           shall establish the Vermont Coronavirus Economic Stimulus Equity Program  
11           to award direct relief grant payments to eligible adults and eligible children.

12           (2) In order to receive payment under the Program, an eligible adult  
13           shall certify that he or she:

14                   (A) is a resident of Vermont;

15                   (B) was ineligible to receive an economic impact payment under the  
16           CARES Act due to reasons of immigration status; and

17                   (C) had an adjusted gross income of less than \$99,000.00 in taxable  
18           year 2019 or, if filing jointly, an adjusted gross income of less than  
19           \$198,000.00 in taxable year 2019.

1           (3) Each eligible adult shall receive \$1,200.00 and \$500.00 for each  
2           eligible child, provided that an eligible adult shall not receive an award for an  
3           eligible child if another applicant received an award for that child.

4           (4) Each award issued under this section shall be issued as a direct  
5           payment from the State of Vermont.

6           (5) All applications for a payment under this section shall be submitted  
7           on or before March 1, 2021.

8           (c) Administration of Program.

9           (1) The Program shall be administered by the Agency of Administration  
10          in consultation with the Executive Director of Racial Equity and the Agency of  
11          Human Services. The Agency of Administration may partner with public or  
12          private entities to conduct outreach, provide application assistance, process  
13          grant applications, or deliver assistance payments to eligible individuals.

14          (2) The Agency shall adopt requirements, guidelines, or procedures as  
15          necessary to implement and administer the Program. When the Agency adopts  
16          requirements, guidelines, or procedure under this subdivision, it shall consider  
17          how to disperse payments to applicants who lack banking services or a mailing  
18          address to which a payment may be sent. The Agency shall not be required to  
19          initiate rulemaking pursuant to 3 V.S.A. § 831(c) in relation to any  
20          requirement, guideline, or procedure that is adopted or issued in relation to the  
21          Program.

1           (3) The Agency may utilize staff and resources from any State agency  
2           or department as necessary to administer the Program and may partner with  
3           any nongovernmental entity to promote or implement the Program.

4           (d) Contract for implementation. Notwithstanding any provision of law to  
5           the contrary, the Agency may enter into contracts, as deemed necessary, with  
6           any nongovernmental entity to implement and administer the Program without  
7           the need to competitively bid such contracts. For the purposes of the Program,  
8           the public health risk posed by COVID-19 shall be deemed to be an emergency  
9           situation that justifies the execution of sole source contracts pursuant to  
10          Bulletin 3.5, the State's Procurement and Contracting Procedures.

11          (e) Confidentiality; personally identifiable information. All personally  
12          identifiable information that is collected by the Agency through  
13          implementation of the Program by any entity of State government performing  
14          a function of the Program or by any entity that the Agency contracts with to  
15          perform a function of the Program shall be kept confidential and shall be  
16          exempt from inspection and copying under the Public Records Act.

17          (f) Protection of personally identifiable information. The Agency shall  
18          ensure that any entity of State government performing a function of the  
19          Program or any entity that the Agency contracts with to perform a function of  
20          the Program:

1           (1) implements appropriate procedures and safeguards to protect any  
2           personally identifiable information that it obtains in relation to the Program;

3           (2) shall not disclose an individual's personally identifiable information  
4           to another State entity or contractor performing a function of the Program  
5           unless that disclosure is necessary for the administration of the Program;

6           (3) complies with the prohibition on disclosure of personally  
7           identifiable information under 20 V.S.A. § 4651; and

8           (4) complies with all applicable requirements of 9 V.S.A. chapter 62.

9           (g) Reports.

10           (1) The Secretary of Administration shall report to the Joint Fiscal  
11           Committee at the November meeting of the Committee regarding how the  
12           Agency of Administration or its contractors will make payments under the  
13           Program, including how payments shall be dispersed to applicants who lack  
14           banking services or a mailing address to which a payment may be sent.

15           (2) On or before April 30, 2021, the Secretary of Administration shall  
16           report to the House Committee on Appropriations and the Senate Committee  
17           on Appropriations regarding the implementation and administration of the  
18           Vermont Coronavirus Economic Stimulus Equity Program. The report shall  
19           include:

20           (A) a summary of the payments awarded under the Program,  
21           including the amount of payments awarded;

1           (B) any challenges encountered by the Agency or contractors in the  
2           implementation and administration of the Program; and

3           (C) a summary of the results or success of the Program.

4           Sec. 2. APPROPRIATION; VERMONT CORONAVIRUS ECONOMIC  
5           STIMULUS EQUITY PROGRAM; REVERSION

6           (a) The amount of \$5,000,000.00 is available in fiscal year 2021 to the  
7           Agency of Administration for the administration and payment of grants  
8           pursuant to the Vermont Coronavirus Economic Stimulus Equity Program. Of  
9           the funds available under this subsection:

10           (1) \$2,000,000.00 shall be appropriated from the General Fund; and

(2) notwithstanding 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec.

C.106(b)(3) and (4), \$3,000,000.00 of the funds appropriated from the  
Tobacco Litigation Fund to the Judiciary to address adjudication of Children in  
Need of Supervision cases shall ~~be transferred to the Agency of~~  
~~Administration~~ *revert to the Tobacco Litigation Fund and then be appropriated*  
*to the Agency of Administration for purposes of the Vermont Coronavirus*  
*Economic Stimulus Equity Program.*

11           (b) The Agency of Administration may use up to \$50,000.00 of the funds  
12           available under this section for the administration of the Program.

(c) If *Tobacco Litigation Fund* funds available to the Agency of  
Administration under this section have not been awarded on or before June 30,

2021, any remaining funds shall revert to the Tobacco Litigation Fund for use by the Judiciary in fiscal year 2022 to address adjudication of Children in Need of Supervision cases consistent with 2018 (Sp. Sess.) Acts and Resolves No. 11, Sec. C.106(b)(3) and (4), as amended by 2019 Acts and Resolves No. 6, Sec. 91.

1      Sec. 3. EFFECTIVE DATE

2      This act shall take effect on passage.