

1 H.733

2 Introduced by Representatives Ode of Burlington and Houghton of Essex

3 Referred to Committee on

4 Date:

5 Subject: income tax; charitable donations; forestland for conservation

6 Statement of purpose of bill as introduced: This bill proposes to create a study
7 committee to research and examine tax incentives that would encourage
8 conservation efforts in Vermont through private donations of forestland. The
9 bill would require the committee to report to the General Assembly with
10 recommendations on structuring Vermont tax incentives for donations.

11 An act relating to studying taxation of forestland donations for conservation

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

13 Sec. 1. TAXATION; FORESTLAND DONATIONS FOR

14 CONSERVATION; STUDY COMMITTEE; REPORT

15 (a) Creation. There is created the Forestland Donations for Conservation
16 Study Committee to research and recommend tax incentives that would
17 encourage conservation efforts in Vermont through private donations of
18 forestland.

19 (b) Membership. The Committee shall be composed of the following
20 members:

1 (1) two current members of the House of Representatives, not all from
2 the same political party, who shall be appointed by the Speaker of the House;

3 (2) two current members of the Senate, not all from the same political
4 party, who shall be appointed by the Committee on Committees;

5 (3) the Commissioner of Forests, Parks and Recreation or designee;

6 (4) the Commissioner of Taxes or designee; and

7 (5) one member of the Vermont Forest Partnership, as designated by the
8 organization.

9 (c) Powers and duties. The Committee shall study the tax treatment of
10 private landowners' donations of forestland for conservation at the federal and
11 state level, including the following issues:

12 (1) how the enactment of the federal Tax Cuts and Jobs Act may have
13 impacted the tax treatment of donations of forestland for conservation purposes
14 federally and how that impacts Vermont donations;

15 (2) whether other states have enacted relevant tax incentives, and the
16 fiscal impact of such incentives; and

17 (3) the costs of enacting Vermont tax incentives.

18 (d) Assistance. The Committee shall have the administrative, technical,
19 and legal assistance of the Departments of Forests, Parks and Recreation and of
20 Taxes.

1 (e) Report. On or before January 15, 2021, the Committee shall submit a
2 written report to the House Committees on Agriculture and Forestry and on
3 Ways and Means and the Senate Committees on Agriculture and on Finance
4 with its findings and any recommendations for legislative action.

5 (f) Meetings.

6 (1) The Commissioner of Forests, Parks and Recreation shall call the
7 first meeting of the Committee to occur on or before September 1, 2020.

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

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

11 (4) The Committee shall cease to exist on January 31, 2021.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on passage.