

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred House
3 Bill No. 948 entitled “An act relating to temporary municipal proceedings
4 provisions in response to the COVID-19 outbreak” respectfully reports that it
5 has considered the same and recommends that the Senate propose to the House
6 that the bill be amended by striking out all after the enacting clause and
7 inserting in lieu thereof the following:

8 Sec. 1. MUNICIPAL QUASI-JUDICIAL PROCEEDINGS; TEMPORARY
9 SUSPENSION OF IN-PERSON HEARING AND INSPECTION
10 REQUIREMENTS

11 (a) Notwithstanding any provision of law to the contrary, during a declared
12 state of emergency under 20 V.S.A. chapter 1 due to COVID-19, a
13 municipality is authorized to conduct any municipal quasi-judicial proceeding
14 through electronic means, provided that the municipality complies with all
15 other requirements for the conduct of the proceeding. The municipality shall
16 not be required to designate a physical location for the proceeding.

17 (b)(1) Notwithstanding 32 V.S.A. § 4404(c), during a declared state of
18 emergency under 20 V.S.A. chapter 1 due to COVID-19, a board of civil
19 authority shall not be required to physically inspect any property that is the
20 subject of an appeal. If the appellant requests in writing that the property be
21 inspected for purposes of the appeal, a member or members of the Board shall

1 conduct the inspection through electronic means. If the appellant does not
2 facilitate the inspection through electronic means, then the appeal shall be
3 deemed withdrawn.

4 (2) Notwithstanding 32 V.S.A. § 4467, during a declared state of
5 emergency under 20 V.S.A. chapter 1 due to COVID-19, a hearing officer
6 shall not be required to physically inspect any property that is the subject of an
7 appeal. If the appellant requests in writing that the property be inspected for
8 purposes of the appeal, the hearing officer shall conduct the inspection through
9 electronic means. If the appellant does not facilitate the inspection through
10 electronic means, then the appeal shall be deemed withdrawn.

11 (3) As used in this subsection, “electronic means” means the transmittal
12 of video or photographic evidence by the appellant at the direction of the
13 Board members or hearing officer conducting the inspection.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on passage.

16
17 (Committee vote: _____)

18 _____

19 Senator _____

20 FOR THE COMMITTEE