

H.966

An act relating to COVID-19 funding and assistance for broadband connectivity, housing, and economic relief

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

* * * Purpose * * *

Sec. 1. PURPOSE

The purpose of this act is to appropriate \$232,830,100.00 from the State's Coronavirus Relief Fund for necessary expenses incurred as a result of the COVID-19 public health emergency, allocated as follows: \$43,068,500.00 for broadband connectivity and other initiatives; \$68,061,600.00 for housing initiatives; and \$121,700,000.00 for economic relief to businesses and individuals.

* * * Broadband Connectivity; Legislative Findings and Intent * * *

Sec. 2. BROADBAND CONNECTIVITY; FINDINGS AND INTENT

(a) Findings. The General Assembly finds that:

(1) Never has the need for reliable, affordable, high-speed broadband connectivity been so critical. The COVID-19 public health emergency and the required social distancing it has engendered have served as an accelerant to the socioeconomic disparities between the connected and the unconnected in our State.

(2) Vermonters who cannot access or cannot afford broadband connectivity, many of whom are geographically isolated, face challenges with respect to distance learning; remote working; accessing telehealth services; accessing government programs and services, including our institutions of democracy, such as the court system; and otherwise trying to maintain some form of social connection and civic engagement in these trying times.

(3) The public health emergency has highlighted the extent to which robust and resilient broadband networks are critical to our economic future as a whole and provide a foundation for our educational, health care, public health and safety, and democratic institutions.

(4) Data collected by the Department of Public Service underscore the magnitude of the State's connectivity needs. Of the 308,082 addresses in our State:

(A) 6.8 percent (20,978 addresses) do not have access to broadband that meets a minimum speed of 4/1 Mbps.

(B) 23 percent (69,899 addresses) do not have access to broadband that meets the FCC's benchmark of 25/3 Mbps.

(C) 82.5 percent (254,000 addresses) do not have access to broadband that meets a minimum speed of 100/100 Mbps.

(5) Last year, the General Assembly took significant steps to close the digital divide. Through Act 79, an act relating to broadband deployment

throughout Vermont, we not only provided financial incentives and streamlined processes for broadband deployment, we also supported numerous innovative approaches to shore up community efforts to design and implement their own broadband solutions.

(6) Due to the COVID-19 public health emergency, we must accelerate our efforts. With haste and precision, the State must redouble its efforts to go where the market will not.

(7) The measures taken in this act complement and advance the State's long-term goal of achieving the universal availability of 100 Mbps symmetrical service by the year 2024.

(8) The faster and more thoroughly we react, the sooner and more completely we will recover.

(b) Intent. In response to the COVID-19 public health emergency and the critical need for access to broadband connectivity, it is the intent of the General Assembly to support rapid response recovery planning and broadband solutions that will significantly increase rural broadband capacity for distance learning, remote working, telehealth, and other critical services during the public health emergency and to do so in a manner that is consistent with the criteria of the Coronavirus Relief Fund as established by section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief,

and Economic Security (CARES) Act, Pub. Law 116-136, as amended, and
any guidance and regulations issued pursuant thereto.

* * * Appropriations * * *

Sec. 3. FISCAL YEAR 2021 ONE-TIME CORONAVIRUS RELIEF FUND
APPROPRIATIONS

(a) Of the coronavirus relief funds allocated to Vermont pursuant to section
601(d) of the Social Security Act, as added by section 5001 of the CARES Act,
the amount of \$43,068,500.00 shall be appropriated as follows:

(1) \$35,566,500.00 to the Department of Public Service to be allocated
as follows:

(A) \$800,000.00 to the COVID-Response Connected Community
Resilience Program established in Sec. 4 of this act.

(B) \$2,000,000.00 to the COVID-Response Line Extension Customer
Assistance Program established in Sec. 5 of this act.

(C) \$11,000,000.00 to the Get Vermonters Connected Now Initiative
established in Sec. 6 of this act.

(D) \$500,000.00 to support the COVID-Response
Telecommunications Recovery Plan established in Sec. 7 of this act.

(E) \$800,000.00 to support the COVID-Response Telehealth and
Connectivity Initiative established in Sec. 9 of this act.

(F) \$466,500.00 to be disbursed, in consultation with the Vermont Access Network, among the State's access media organizations for staffing and operational costs incurred due to unbudgeted and unplanned coverage of public meetings and events in response to the COVID-19 public health emergency, as well as for unplanned and unbudgeted expenditures related to increased production and technical support for live-streaming government and community-based organizations.

(G) \$20,000,000.00 to fund ratepayer arrearages as they pertain to utilities affected by the Public Utility Commission's moratorium on utility disconnections issued on March 18, 2020, as further amended and revised by the Commission, and as established in Sec. 10 of this act.

(2) \$3,000,000.00 to the Agency of Digital Services to fund efforts to mitigate cybersecurity risks posed by State employees working from home as a result of the COVID-19 public health emergency.

(3) \$4,000,000.00 to the Agency of Digital Services to reimburse costs incurred for unbudgeted and unplanned expenditures for the purpose of unemployment insurance claims modernization. It is the intent of the General Assembly to increase Vermonter's access to unemployment insurance claims services in response to the COVID-19 public health emergency through a modernization move to a technical solution that ensures seamless access for citizens throughout Vermont.

(4) \$350,000.00 to the Agency of Digital of Services to support municipal officials in addressing cybersecurity risks and mitigate vulnerabilities posed by closed municipal offices, municipal employees and elected officials working from home, and using teleconferencing platforms as a result of the COVID-19 public health emergency.

(5) \$152,000.00 to the Enhanced 911 Fund for necessary expenses incurred due to unbudgeted and unplanned critical public health and safety activities and services directly caused by or provided in response to the COVID-19 public health emergency.

(b) Of the appropriations made pursuant to this section, any unexpended funds as of December 20, 2020 shall be transferred to the State's coronavirus relief fund. Recipients of the appropriations under this section shall make every effort to both obtain and retain documentation demonstrating that expenses are eligible for reimbursement under section 601(d) of the Social Security Act.

* * * COVID-Response Connected Community Resilience Program * * *

Sec. 4. COVID-RESPONSE CONNECTED COMMUNITY RESILIENCE
PROGRAM

(a) There is established the COVID-Response Connected Community Resilience Program, a grant program to be administered by the Commissioner of Public Service. The purpose of the Program is to fund recovery planning

efforts of communications union districts, particularly with regard to accelerating their deployment schedules. Accelerated deployment is necessary in direct response to the COVID-19 public health emergency, which has caused communications union districts to rapidly reassess the connectivity needs in their respective service areas and to reevaluate their deployment objectives going forward, either independently or collaboratively. Conditions of the Program shall include the following:

(1) Costs eligible for funding under this Program include consultant fees, administrative expenses, and any other recovery planning costs deemed appropriate by the Commissioner.

(2) A grant award may not exceed \$100,000.00.

(b) The Commissioner shall develop policies and practices for Program implementation consistent with the purposes of this section and also with section 601(d) of the Social Security Act, including standards for expense verification and records retention.

* * * COVID-Response Line Extension Customer Assistance Program * * *

Sec. 5. COVID-RESPONSE LINE EXTENSION CUSTOMER ASSISTANCE
PROGRAM

(a) There is established the COVID-Response Line Extension Customer Assistance Program to be administered by the Commissioner of Public Service. The purpose of the Program is to provide financial assistance for the customer

costs associated with line extensions to unserved locations. The Commissioner shall develop guidelines and procedures to implement this Program and may incorporate relevant provisions of PUC Cable Rule 8.313, including the formula for assessing contributions in aid of construction. Conditions of the Program shall include the following:

- (1) To be eligible, line extensions must be capable of delivering broadband service that is capable of speeds of at least 25/3 Mbps.
- (2) An unserved location means an area without access to 25/3 Mbps.
- (3) Per customer financial assistance may not exceed \$3,000.00.
- (4) If the line extension is in the service territory of a communications union district, financial assistance under this Program shall not be awarded unless notice of the proposed line extension is provided to the communications union district and the Department receives a written letter of support for the project from the governing board or board designee of the affected communications union district or 30 days have elapsed since notice was provided and no communication was delivered to the Department, whichever is sooner.
- (5) Locations eligible for financial assistance shall provide to the Department data related to connectivity needs as they pertain to remote learning, telehealth, and telework needs.

(6) A health care provider may apply for assistance on behalf of a patient residing in Vermont for a line extension so that the patient can receive telehealth or telemedicine services from the health care provider. Any K–12 educational institution, including a public or private school or school district, may apply for a line extension on behalf of a student, provided the student’s service location is in Vermont and the student needs the broadband service to receive remote instruction from the educational institution.

(7) The Commissioner may retain any award of financial assistance under this section until he or she determines that eligible expenses have been incurred and properly documented by the grantee in a form and manner prescribed by the Commissioner.

(b) On or before July 15, 2020, the Commissioner shall publish guidelines and procedures for the administration of the Program. The guidelines shall specify that funds shall be available for the most cost-effective and site-appropriate line extension. Funds shall be disbursed on a rolling basis until funds in the Program are expended or December 20, 2020, whichever occurs first. The Program shall cease to exist on December 31, 2020.

(c) The Commissioner’s guidelines and procedures shall be consistent with section 601(d) of the Social Security Act and shall incorporate provisions for ensuring that the Program will significantly increase broadband capacity for distance learning, telehealth, and telework during the public health emergency.

* * * Get Vermonters Connected Now Initiative * * *

Sec. 6. GET VERMONTERS CONNECTED NOW INITIATIVE

(a) There is established the Get Vermonters Connected Now Initiative to be administered by the Commissioner of Public Service. Notwithstanding any provision of law to the contrary, funds shall be distributed through the Connectivity Initiative established under 30 V.S.A. § 7515b. The purpose of the Program is to provide financial assistance to Internet service providers to offset the customer costs of fiber-to-the-premises installations, which include underground conduit installations, where required, and service drops, and to expand fixed wireless coverage to unserved or underserved areas of the State. Up to \$50,000.00 may also be used to reimburse the Department of Public Service and the Agency of Digital Services for any costs associated with the deployment of Wi-Fi hotspots not covered by the Federal Emergency Management Agency. Conditions of the Program shall include the following:

(1) Projects involving installation of underground conduit, where required, that would result in broadband access to low-income households with remote learning, telehealth, and telework needs shall be prioritized.

(2) Both FTTP and fixed wireless installations supported by this Program shall reflect the Department's ongoing efforts with both the Agency of Education and the Vermont Program for Quality in Health Care, Inc. to

identify addresses and clusters of students or vulnerable or high-risk Vermonters, or both, who do not have access to broadband connectivity.

(3) If a project to be funded under this Program is in the service territory of a communications union district, financial assistance under this Program shall not be awarded unless notice of the proposed project is provided to the communications union district and the Department receives a written letter of support for the project from the governing board or board designee of the affected communications union district or 30 days have elapsed since notice was provided and no communication was delivered to the Department, whichever is sooner.

(4) To the extent it is administratively feasible within the time constraints of section 601(d) of the Social Security Act, the Department may provide temporary subsidies for customer broadband monthly subscriptions to increase broadband adoption rates where installations are performed pursuant to this section.

(5) The Commissioner may retain any award of financial assistance under this section until he or she determines that eligible expenses have been incurred and properly documented by the intended recipient in a form and manner prescribed by the Commissioner.

(6) Any new services funded in whole or in part by monies from this Initiative shall be capable of speeds of at least 25 Mbps download and 3 Mbps upload.

(b) The Commissioner shall establish guidelines and procedures consistent with section 601(d) of the Social Security Act and shall incorporate provisions for ensuring, to the greatest extent possible and based on the best available data, that the Program will significantly increase broadband capacity for distance learning, telehealth, and telework during the public health emergency. The location and capacity of infrastructure funded through this Program shall be part of a permanent, public database maintained by the Department.

* * * COVID-Response Telecommunications Recovery Plan * * *

Sec. 7. COVID-RESPONSE TELECOMMUNICATIONS RECOVERY
PLAN

The Commissioner of Public Service shall retain a consultant to assist with preparation of a COVID-Response Telecommunications Recovery Plan. The purpose of the Recovery Plan is to reassess the State's critical connectivity needs in light of the COVID-19 public health emergency and to reevaluate broadband deployment objectives going forward. On or before December 20, 2020, the Recovery Plan shall be submitted to the House Committee on Energy and Technology and the Senate Committee on Finance.

Sec. 8. 2019 Acts and Resolves No. 79, Sec. 23, subsection (a) is amended to read:

(a) It is the intent of the General Assembly that, regardless of when the 2017 Telecommunications Plan is adopted, a new Plan shall be adopted on or before ~~December 1, 2020~~ June 30, 2021 in accordance with the procedures established in 30 V.S.A. § 202d(e). The next Plan after that shall be adopted on or before ~~December 1, 2023, and so on~~ June 30, 2024, and every three years thereafter.

* * * COVID-Response Telehealth Connectivity Program * * *

Sec. 9. COVID-RESPONSE TELEHEALTH CONNECTIVITY PROGRAM

(a) The General Assembly finds that:

(1) Since the onset of COVID-19, telehealth utilization in Vermont has increased exponentially. During this public health emergency, telehealth has become an essential tool to minimize the spread of COVID-19 and provide clinicians the tools they need to treat patients.

(2) According to recent survey data, a significant majority of health care providers indicated that lack of patient access to a smartphone or video capability was a barrier to accessing telehealth services, and similarly indicated that a patient's inability to operate digital equipment was a barrier.

(b) There is established a temporary COVID-Response Telehealth Connectivity Program to be administered by the Vermont Program for Quality

in Health Care, Inc. (VPQHC) consistent with its mission under 18 V.S.A. § 9416 and with its Connectivity Care Packages pilot proposal. The purpose of the Program is to support equitable access to telehealth services by providing outreach and educational opportunities that improve digital literacy skills of patients and providers and also by providing the equipment needed to support telehealth needs during the COVID-19 public health emergency, particularly in areas that are digitally and medically underserved, and distributed geographically across the State. Conditions of the Program shall include:

(1) To the extent feasible under the timing and funding constraints of this Program, VPQHC shall make every effort to identify and prioritize assistance to vulnerable and high-risk patients in all regions of the State.

(2) VPQHC shall ensure that all expenditures made pursuant to this Program are properly documented and retained, consistent with the requirements of section 601(d) of the Social Security Act.

(c) Funds shall be disbursed on a rolling basis until all funds are fully expended or on December 20, 2020, whichever occurs first. Any unexpended funds shall be transferred to the State on or before December 20, 2020. This Program shall sunset on December 31, 2020.

(d) On or before January 15, 2021, VPQHC shall report to the House Committees on Health Care and on Energy and Technology and the Senate

Committees on Health and Welfare and on Finance an evaluation of the
Program's effectiveness to date.

* * * Utility Ratepayer Arrearages * * *

Sec. 10. FINANCIAL ASSISTANCE FOR RATEPAYER ARREARAGES

For the purpose of simultaneously minimizing financial hardship caused by
the COVID-19 public health emergency and also mitigating utility rate
increases ultimately shared by all ratepayers, the Commissioner of Public
Service shall develop policies and practices for providing financial support to
utility ratepayers to cover account arrearages of ratepayers likely to face
disconnection when the moratorium ends. As used in this section, a "utility"
means a utility affected by the Public Utility Commission's moratorium on
utility disconnections issued on March 18, 2020, as further amended and
revised by the Commission. Funds shall be disbursed on a rolling basis until
all funds are fully expended or December 20, 2020, whichever occurs first.
The Commissioner may contract with an independent third party to assist with
program administration. Customer information submitted pursuant to this
program shall be exempt from disclosure under the Vermont Public Records
Act; such data may only be disclosed on an anonymized and aggregated basis.

* * * COVID-19; Economic Relief for Businesses and Individuals * * *

Sec. 10a. ECONOMIC RELIEF FOR BUSINESSES AND INDIVIDUALS;
CORONAVIRUS RELIEF FUND; APPROPRIATIONS

(a) Determination of necessity due to COVID-19. The General Assembly determines that the expenditure of monies from the Coronavirus Relief Fund pursuant to this section is necessary to provide support to individuals and businesses that have suffered economic harm due to the COVID-19 public health emergency.

(b) Appropriations. The following amounts are appropriated from the Coronavirus Relief Fund to the named recipients for the purpose specified:

(1) \$5,000,000.00 to the Working Lands Enterprise Fund, which the Working Lands Enterprise Board shall use for grants to businesses within the agricultural, food and forest, and wood products industries for:

(A) recovering from verifiable losses incurred due to the COVID-19 public health emergency; and

(B) developing new products or markets necessary for the sustainable viability of the business because of changes in the supply chain and relevant markets due to the COVID-19 public health emergency.

(2) \$5,000,000.00 to the Vermont Community Loan Fund, of which the Fund shall allocate \$2,500,000.00 to issue grants of not more than \$10,000.00 to woman-owned businesses and \$2,500,000.00 to issue grants of not more than \$10,000.00 to minority-owned businesses, to address economic harm suffered due to the COVID-19 public health emergency.

(A) A business is eligible for a grant if:

(i) The business suffered a 50 percent or greater reduction in revenue in a monthly or quarterly period from March 1, 2020 to September 1, 2020 as compared to the same period in 2019.

(ii) The business has no, or not more than five, employees.

(iii) A woman or a minority individual owns not less than 51 percent of the business, and the business meets the standard for being woman- or minority-owned established by the Department of Buildings and General Services.

(iv) The business certifies that it meets the eligibility requirements, that it will use funds for COVID-19 related business expenses on or before December 20, 2020, that it will document the expenses, that grants are subject to audit for three years, and that false or fraudulent claims will be prosecuted.

(B) The Vermont Commission on Women shall design a grant application and host an online application process.

(C) The Agency of Commerce and Community Development shall provide notice to applicants concerning allowable expenditures under the CARES Act and support outreach efforts through media outlets.

(D) The Vermont Commission on Women and a host nonprofit that works with minority businesses shall conduct outreach within their respective

business communities and provide support for applicants as they research and apply for the grants.

(E) If any funds remain both unencumbered and unspent on September 1, 2020, the Agency and the Fund shall assess the participation rates in the grant programs and reallocate funds as necessary.

(3) \$3,000,000.00 to the Agency for Commerce and Community Development for emergency economic recovery grants under Sec. 3 of S.350 (2020), as enacted, to eligible businesses that provide highway and bridge maintenance services for the Agency of Transportation or municipal highway departments, or both, and that have suffered economic harm due to the COVID-19 public health emergency.

(4) \$3,000,000.00 to the Department of Tourism and Marketing to provide marketing support to businesses that have suffered economic harm due to the COVID-19 public health emergency.

(5) \$3,000,000.00 to the Agency of Commerce and Community Development to establish a Restart Vermont Technical Support Network to make available an appropriate level of professional assistance to businesses that have suffered economic harm due to the COVID-19 public health emergency.

(A) The Agency shall issue a request for proposals to service providers to establish a group of Recovery Navigators qualified to provide

businesses with assistance in revising business models, business and financial planning, and grant and loan writing support.

(B) The request for proposals issued by the Agency shall solicit service providers adequately demonstrating their qualifications in areas including:

(i) operational expertise and ability in helping businesses modernize current operating practices;

(ii) knowledge and experience in developing digital strategies for retailers needing to establish a more robust and competitive online presence;

(iii) architecture and physical space design for optimal flow in restaurants adjusting their model and space to accommodate more takeout and less seating, space for meal preparation, and food delivery logistics;

(iv) reconfiguration of manufacturing equipment and processes to enable production of personal protective equipment, as well as accommodation of safety measures resulting from the COVID-19 emergency;

(v) technology or software consulting to agricultural producers and manufacturers on the utilization of technology to solve problems; and

(vi) legal and other professional services experienced in helping businesses develop turnaround plans, including restructuring debt, prioritization of payables, and orderly unwinding businesses.

(6) \$1,000,000.00 to the Department of Housing and Community Development for grants to communities through the Better Places Program to purchase or lease equipment, including masks, sanitizing stations, hands free door pulls, outdoor tables and chairs, and other items used towards public safety measures and the mitigation of the spread of COVID-19, while enabling local businesses and organizations to reopen.

(7) \$70,200,000.00 to the Agency of Commerce and Community Development, in consultation with the Department of Taxes, to allocate for additional emergency economic recovery grants pursuant to Secs. 2–3 of S.350 (2020), as enacted, subject to the approval of the Joint Fiscal Committee and to the following:

(A) The Agency and Department may issue grants to businesses that have suffered a 50 percent or greater reduction in revenue in a monthly or quarterly period from March 1, 2020 to September 1, 2020 as compared to the same period in 2019.

(B) If, on or before August 1, 2020, the Agency and the Department have not expended all of the funds appropriated in S.350 (2020), as enacted, the Agency and Department shall combine and distribute those funds with the amounts appropriated in this subdivision (7).

(8) \$1,500,000.00 to the Agency of Natural Resources for grants through the Outdoor Recreation Business Assistance Program.

(9) \$5,000,000 to Southeastern Vermont Community Action to act as fiscal agent for a Statewide program, Restaurants and Farmers Feeding the Hungry, the purpose of which is to provide assistance to Vermonters who are food insecure due to the COVID-19 public health emergency by engaging Vermont restaurants that have suffered economic harm due to the COVID-19 public health emergency to prepare meals using foodstuffs purchased from Vermont farms and food producers.

(A) SEVCA shall collaborate with State and nonprofit partners throughout Vermont, including the Agency of Commerce and Community Development; the Agency of Agriculture, Food and Markets; the Agency of Human Services; the Department of Public Safety; the Community Action Agencies; the Vermont Food Bank; Hunger Free Vermont; the Vermont Hunger Council; the Sustainable Jobs Fund/Farm to Plate; the Vermont Community Foundation; the Downtown Brattleboro Alliance; Shiftmeals; Mama Sezz; and others.

(B) Under the Program SEVCA and partners shall:

(i) establish multiple community-scale hubs across Vermont to coordinate restaurant engagement and distribution of not fewer than 15,000 meals per week;

(ii) engage a broad range of restaurants of various sizes to produce meals;

(iii) on average, purchase not less than 10 percent of ingredients from local farms and producers; and

(iv) augment the existing food distribution network to meet the increased food insecurity of residents.

(10) \$5,000,000.00 to the Vermont Arts Council for grants to nonprofit arts and cultural organizations that have suffered a 50 percent or greater reduction in revenue in a monthly or quarterly period from March 1, 2020 to September 1, 2020 as compared to the same period in 2019. As used in this subdivision, “revenue” does not include tax-deductible charitable donations.

(c) Administration of funds; reporting. A recipient of an appropriation to administer grants and other assistance in this section:

(1) may use funds for administrative expenses, provided that the expenses represent an increase over previously budgeted amounts and are limited to what is necessary;

(2) shall require an applicant for a grant to attest:

(A) to the intended use of a grant award;

(B) to commit to expending grant funds on or before December 20, 2020;

(C) if a business organization, that it is domiciled or has its primary place of business in Vermont as determined pursuant to guidelines adopted by

the Agency of Commerce and Community Development pursuant to S.350 (2020), as enacted; and

(D) is open for business at the time of application, or is closed due to the COVID-19 public health emergency but has a good faith plan to reopen;

(3) shall disclose to applicants that all expenditures of funding from the Coronavirus Relief Fund are subject to audit by the State and may be recovered by the State if the recipient uses the funding for an ineligible purpose under the CARES Act, except in the case of a grant recipient that accepted grant funds in good faith reliance on the State concerning the business's eligibility for, or use of, the grant award;

(4) shall transfer funds that are both unencumbered and unspent as of November 15, 2020 to the Agency of Commerce and Community Development, which the Agency shall use to make additional emergency economic recovery grants; and

(5) shall submit to the General Assembly an initial report on or before August 15, 2020, and a final report on November 15, 2020, concerning the use of appropriated funds.

(d) Prohibition on multiple sources of funding.

(1) A business may apply for a grant of Coronavirus Relief Fund monies from multiple sources; provided, however, that:

(A) A business is eligible to receive only one grant of Coronavirus Relief Fund monies from among the programs and sources authorized in this section.

(B) A business that receives a grant of Coronavirus Relief Fund monies from a program or source that is not authorized in this section is ineligible for an additional grant from among the programs and sources authorized in this section, except that a business in the dairy sector may apply for a grant under subdivision (b)(1)(B) of this section provided that the award is not for the same documented COVID-19 related economic loss covered under other assistance from the Fund.

(2) The Agency of Commerce and Community Development, the Department of Taxes, and economic development partners that receive appropriations pursuant to this section shall provide businesses with guidance and support to help identify the appropriate programs for which the business may be eligible for assistance.

(e) Public records; confidentiality.

(1) The name of a business that receives an award under this section and the amount of the award are public records subject to inspection and copying under the Public Records Act.

(2) Any application documents of a business containing federal identification numbers and sales amounts are subject to the confidentiality provisions of 32 V.S.A. § 3102 and are return information under that section.

(3) Data submitted by a business under this section to demonstrate costs or expenses shall be a trade secret exempt from public inspection and copying under 1 V.S.A. § 317(c)(9), provided that submitted information may be used and disclosed in summary or aggregated form that does not directly or indirectly identify a business.

Sec. 10b. OUTDOOR RECREATION BUSINESS ASSISTANCE

PROGRAM; COVID-19 PUBLIC HEALTH PRECAUTIONS

(a) Purpose. The purpose of this section is to provide financial assistance to outdoor recreation businesses in the State to assist with compliance with or implementation of COVID-19 public health precautions.

(b) Definitions. As used in this section:

(1) “Outdoor recreation business” means any person conducting a business or a service within the State that offers outdoor recreation as the principle part of the business or service, including outdoor outfitters, fishing guides, snowmobile tours, ski tours, and other eligible activities approved by the Secretary. An “outdoor recreation business” includes for-profit businesses, not-for-profit businesses, and charitable organizations organized under 26 U.S.C. § 501(c)(3).

(2) “Secretary” means the Secretary of Natural Resources.

(c) Program establishment.

(1) The Secretary shall establish an Outdoor Recreation Business Assistance Program (Program) to provide grants to outdoor recreation businesses for costs or expenses necessary to comply with or implement COVID-19 public health precautions, including costs or expenses related to one or more of the following:

(A) cleaning or disinfection services or equipment;

(B) personal protection equipment for staff, customers, or participants;

(C) symptom monitoring or diagnosis to ensure safe participation by customers or participants;

(D) signage or informational material to inform staff, customers, and participants of necessary public health precautions;

(E) temporary staff housing necessary to maintain public health precautions;

(F) maintenance or repair of trails where damage is caused by increased usage during the declared COVID-19 public health emergency; and

(G) other improvements necessary to address public safety needs due to the COVID-19 public health emergency.

(2) In order to qualify for assistance under the Program, an outdoor recreation business shall:

(A) be currently operating or providing services; and

(B) accurately demonstrate to the Secretary or the Secretary's designee eligible costs or expenses that the outdoor recreation business incurred or will incur on or after March 1, 2020 and before December 20, 2020.

(e) Implementation and administration.

(1) The Secretary shall administer the Program and may implement the Program by:

(A) contracting with an independent public or private entity;

(B) contracting for or hiring up to two temporary positions at the Agency of Natural Resources; or

(C) reallocating existing Agency of Natural Resources staff positions to work exclusively on the Program or other CARES Act, Pub. L. No. 116-136 eligible activities.

(2) Notwithstanding any provision of law to the contrary, the Secretary may enter into a contract with an independent public or private entity as authorized under this section without the need to competitively bid the contract. For the purposes of the Program, the public health risk posed by COVID-19 shall be deemed to be an emergency situation that justifies the

execution of a sole source contract pursuant to Bulletin 3.5, the State's Procurement and Contracting Procedures.

(e) Application; processing.

(1) The Secretary or the Secretary's designee shall create an application form that outdoor recreation businesses shall utilize when applying for an award. Applicants shall certify that all information they provide is truthful and accurate to the best of their knowledge, information, and belief.

(2) The Secretary or the Secretary's designee shall, based on the amount of cost or expense documented by the outdoor recreation business on the date the application is received, provide up to the maximum award authorized under this section. Applications shall be processed in the order received, but an application shall not be ready for evaluation until the Secretary or the Secretary's designee determines that the application is administratively complete and includes required proof of costs or expenses incurred in response to the COVID-19 public health emergency.

(3) Once an outdoor recreation business submits a complete application and demonstrates eligible costs or expenses, the Secretary or the Secretary's designee shall promptly issue a payment, provided that the appropriated funds have not been expended. The last payment may be a partial payment consisting of the remaining available funds.

(4) Each award under this section shall be a direct payment from the State of Vermont to an eligible outdoor recreation business. Outdoor recreation businesses shall not submit more than one application.

(f) Payment; maximum. The maximum amount of an award that may be awarded under this section shall be \$30,000.00.

(g) Program terms and limitations.

(1) The Secretary shall attempt to award grants equitably on a geographic basis across the State. After equity of geographic distribution is accounted for, grant payments under the Program shall be issued on a first-come, first-served basis until all funds are awarded or December 20, 2020, whichever occurs first, provided that the costs or expenses are incurred and the funds fully expended on or before December 30, 2020.

(2) The name of an outdoor recreation business that receives an award under the Program and the amount of the award are public records subject to inspection and copying under the Public Records Act.

(3) Any application documents of an outdoor recreation business containing federal identification numbers and sales amounts are subject to the confidentiality provisions of 32 V.S.A. § 3102 and are return information under that section.

(4) Data submitted by an outdoor recreation business under this section to demonstrate costs or expenses shall be a trade secret exempt from public

inspection and copying under 1 V.S.A. § 317(c)(9), provided that the Secretary may use and disclose submitted information in summary or aggregated form that does not directly or indirectly identify an outdoor recreation business.

Sec. 10c. 24 V.S.A. § 2799 is added to read:

§ 2799. BETTER PLACES PROGRAM; CROWD GRANTING

(a)(1) There is created a Better Places Fund under 32 V.S.A. chapter 7, subchapter 5.

(2) The purpose of the Fund is to utilize crowdfunding to spark community revitalization through collaborative grantmaking for projects that create, activate, or revitalize public spaces.

(3) The Department of Housing and Community Development may administer the Fund in coordination with and support from other State agencies and nonprofit and philanthropic partners.

(b) The Fund is composed of the following:

(1) State or federal funds appropriated by the General Assembly;

(2) gifts, grants, or other contributions to the Fund;

(3) proceeds from the issuance of general obligation bonds; and

(4) any interest earned by the Fund.

(c) As used in this section, “public space” means an area or place that is open and accessible to all people, generally with no charge for admission, and includes village greens, squares, parks, community centers, town halls,

libraries, and other publicly accessible buildings and connecting spaces such as sidewalks, streets, alleys, and trails.

(d)(1) The Department of Housing and Community Development shall establish an application process, eligibility criteria, and criteria for prioritizing assistance for awarding grants from the Fund.

(2) The Department may award a grant to a municipality or nonprofit organization for a project that is located in a designated downtown, village center, new town center, or neighborhood development area that will create a new public space or revitalize or activate an existing public space.

(3) The Department may develop matching grant eligibility requirements, such as requiring that to be eligible for a grant, a project shall use matching funds raised through a crowdfunding approach that includes multiple donors and other appropriate requirements to ensure a broad base of community and financial support for the project.

(e) The Department of Housing and Community Development, with the assistance of a fiscal agent, shall distribute funds under this section in a manner that provides funding for projects of various sizes in as many geographical areas of the State as possible.

(f) The Department of Housing and Community Development may use up to 15 percent of any appropriation to the Fund from the General Fund to assist

with crowdfunding, administration, and technological needs of the Better Places Program.

(g) Beginning on January 15, 2021, and annually thereafter, the Department of Housing and Community Development shall submit to the Senate Committee on Economic Development, Housing and General Affairs and the House Committee on Commerce and Economic Development an annual report regarding the activities and progress of the Better Places Program. The report shall:

(1) summarize the program activities in the preceding year and report on the number of awarded grants and the total grant funds allocated;

(2) report on partner resources and contributions to the Program; and

(3) report on any measurable economic activity that may include number of jobs created, number of visitors, the approximate number of square feet to be activated or redeveloped, and the number of volunteers engaged in the project.

Sec. 10d. WORKERS' COMPENSATION RATE OF CONTRIBUTION

For fiscal year 2021, after consideration of the formula in 21 V.S.A. § 711(b) and historical rate trends, the General Assembly determines that the rate of contribution for the direct calendar year premium for workers' compensation insurance shall remain at the rate of 1.4 percent. The contribution rate for self-insured workers' compensation losses and workers'

compensation losses of corporations approved under 21 V.S.A. chapter 9 shall remain at one percent.

Sec. 10e. FRONT-LINE EMPLOYEES HAZARD PAY GRANT
PROGRAM

(a) The purpose of this section is to appropriate \$20,000,000.00 from the Coronavirus Relief Fund to provide grants to certain employers for the provision of hazard pay to front-line workers whose job placed them at an elevated risk of exposure to SARS-CoV-2 or COVID-19, or both, during the first two months of the COVID-19 public health emergency in Vermont.

(b) There is established in the Agency of Administration the Front-Line Employees Hazard Pay Grant Program to administer and award grants to certain public safety, public health, health care, and human services employers whose employees were engaged in activities substantially dedicated to mitigating or responding to the COVID-19 public health emergency during the eligible period. The Agency shall administer this program in a way that is consistent with the provisions of Secs. 12–15 of this act and section 5001 of Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116–136 (the CARES Act), as may be amended, and any guidance or regulations issued pursuant to that section.

(c) As used in this section:

(1) “Agency” means the Agency of Administration

(2)(A) “Covered employer” means an entity that employs one or more individuals in Vermont in relation to its operation of one of the following:

(i) an assisted living residence as defined in 33 V.S.A. § 7102;

(ii) a nursing home as defined in 33 V.S.A. § 7102 and any employer that a nursing home has contracted with for the provision of physical, speech, respiratory, or occupational therapy, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its employees for therapy services provided in the nursing home;

(iii) a residential care home as defined in 33 V.S.A. § 7102;

(iv) a therapeutic community residence as defined in 33 V.S.A. § 7102;

(v) a health care facility as defined in 18 V.S.A. § 9432 or a physician’s office;

(vi) a dentist’s office or a dental facility;

(vii) a homeless shelter;

(viii) a home health agency as defined in 33 V.S.A. § 6302 and any employer that a home health agency has contracted with to provide physical, speech, respiratory, or occupational therapy on its behalf, provided that such an employer shall only be permitted to receive a grant to provide hazard pay to its employees for therapy services provided on behalf of the home health agency;

(ix) a federally qualified health center, rural health clinic, or clinic for the uninsured;

(x) a program licensed by the Department for Children and Families as a residential treatment program;

(xi) an ambulance service or first responder service as defined in 24 V.S.A. § 2651;

(xii) a morgue; or

(xiii) a provider of necessities and services to vulnerable or disadvantaged populations.

(B) “Covered employer” does not include:

(i) the State;

(ii) a political subdivision of the State;

(iii) the United States;

(iv) an agency designated to provide mental health or developmental disability services, or both, pursuant to 18 V.S.A. chapter 207;

or

(v) an agency with which the Commissioner of Mental Health or of Disabilities, Aging, and Independent Living, or both, has contracted to provide specialized services pursuant to 18 V.S.A. § 8912.

(3)(A) “Elevated risk of exposure to COVID-19” means the performance of a job that:

(i) has high potential for exposure to known or suspected sources of COVID-19, including through:

(I) providing in-person services or care to members of the public or clients; or

(II) cleaning or sanitizing the premises of a covered employer in a location that is used by members of the public or individuals who are known or suspected to have COVID-19;

(ii) requires frequent physical contact or close contact, or both, with people who may be infected with SARS-CoV-2, but who are not known or suspected COVID-19 patients; or

(iii) is located in an area with ongoing community transmission of SARS-CoV-2 and requires regular, close contact with members of the public.

(B) As used in this subdivision (b)(2), “close contact” means interactions with another individual that require the employee to be within six feet of that individual.

(4)(A) “Eligible employee” means an individual who:

(i) is employed by a covered employer that has applied for a grant through the Program;

(ii) performs a job that had an elevated risk of exposure to COVID-19 during the eligible period;

(iii) was unable to perform his or her job remotely or to telework, including by providing healthcare or other services by telephone, videoconference, or telehealth;

(iv) except in the case of employees of home health agencies and nursing homes, earns an hourly base wage of \$25.00 or less;

(v) worked at least 68 hours for a covered employer during the eligible period; and

(vi) is not eligible to receive monetary benefits for the performance of his or her job under any program authorized or implemented by the federal government.

(B) Notwithstanding subdivision (A)(i) of this subdivision (4), “eligible employee” includes an independent direct support provider who satisfies the requirements of subdivisions (A)(ii)–(vi) of subdivision (4) of this section.

(C) “Eligible employee” does not include:

(i) an independent contractor or self-employed individual; or

(ii) an individual who has received unemployment insurance benefits for any week during the eligible period.

(5) “Eligible period” means the period from March 13, 2020 through May 15, 2020, inclusive.

(6) “Independent direct support provider” has the same meaning as in 21 V.S.A. § 1631.

(7) “Program” means the Front-Line Employees Hazard Pay Grant Program.

(8) “Secretary” means the Secretary of Administration.

(d)(1) A covered employer may apply to the Secretary for a lump sum grant to provide hazard pay to eligible employees in the following amounts for the eligible period:

(A) \$1,400.00 for eligible employees who worked at least 216 hours in a job with an elevated risk of exposure to COVID-19 during the eligible period; and

(B) \$800.00 for employees who worked at least 68 hours and less than 216 hours in a job with an elevated risk of exposure to COVID-19 during the eligible period.

(2)(A) The number of hours worked by an eligible employee during the eligible period shall include any hours of employer-provided accrued paid leave or leave provided pursuant to the Emergency Family and Medical Leave Expansion Act or the Emergency Paid Sick Leave Act that were used by the eligible employee because he or she contracted COVID-19 or was quarantined because of exposure to COVID-19.

(B) The number of hours worked by an eligible employee during the eligible period shall not include:

(i) any hours of employer-provided accrued paid leave or leave provided pursuant to the Emergency Family and Medical Leave Expansion Act or the Emergency Paid Sick Leave Act that were used by the eligible employee to care for another individual; and

(ii) any hours of remote or telework performed by the eligible employee, including the provision of healthcare or other services by telephone, videoconference, or telehealth.

(3) An eligible employee may elect not to receive hazard pay funded by a grant provided pursuant to the Program by providing notice to his or her employer pursuant to procedures adopted by the employer.

(4) For the sole purpose of the administration of the Program and the provision of hazard pay to independent direct support providers, ARIS Solutions, as the fiscal agent for the employers of the independent direct support providers, shall have the authority to apply for a grant in the same manner as a covered employer and to disburse hazard pay funded by that grant to eligible independent direct support providers.

(e) In order to qualify for a grant under the Program, the Secretary shall require a covered employer to certify that:

(1) the grant funds shall only be used to provide hazard pay to eligible employees;

(2) eligible employees receiving hazard pay funded by the grant shall not be required to pay an administrative fee or other charge in relation to the employer requesting a grant to provide the employee with hazard pay;

(3) it has established a process to permit eligible employees to elect not to receive hazard pay funded by a grant provided pursuant to the Program and record keeping procedures to track which employees have elected not to receive a grant; and

(4) the covered employer shall not reduce or otherwise recoup any compensation paid to or owed to an eligible employee for work performed during the eligible period as a result of the eligible employee receiving hazard pay funded by a grant obtained through the Program.

(f) The amount of the grant provided to a covered employer shall equal the total amount of hazard pay that its eligible employees qualify for pursuant to subsection (d) of this section.

(g) Each covered employer that receives a grant shall, not later than 90 days after receiving the grant and in no event later than December 1, 2020, report to the Agency on a standard form provided by the Secretary the amount of grant funds used to provide hazard pay to eligible employees and the amount of any remaining grant funds that were not spent. All unspent grant

funds shall be returned to the Agency pursuant to a procedure adopted by the Secretary.

(h) The Secretary shall:

(1) adopt procedures for implementing the Program, which shall include a simple grant application process and a process to allow employers to report on their use of the grant funds awarded pursuant to this section;

(2) promote awareness of the Program, including through coordination with relevant trade groups and with the Agencies of Commerce and Community Development and of Human Services and the Department of Public Safety;

(3) award grants to covered employers on a first-come, first-served basis, subject to available funding; and

(4) adopt measurable goals, performance measures, and an audit strategy to assess the utilization and performance of the Program.

(i) In addition to any other reports required pursuant to this act, on or before November 15, 2020, the Secretary shall submit a report to the General Assembly concerning the implementation of this section, including:

(1) a description of the policies and procedures adopted to implement the Program;

(2) the promotion and marketing of the Program; and

(3) an analysis of the utilization and performance of the Program.

(j) Appropriation.

(1) The amount of \$20,000,000.00 is appropriated in fiscal year 2021 from the Coronavirus Relief Fund to the Agency for use in fiscal year 2021 for the administration and payment of grants pursuant to the Front-Line Employees Hazard Pay Grant Program established in subsection (b) of this section.

(2) Any unexpended funds remaining after October 15, 2020 shall revert to the Coronavirus Relief Fund for reallocation.

* * * COVID-19 Response; Housing * * *

Sec. 11. COVID-19 RESPONSE; HOUSING

(a) The following amounts are appropriated from the Coronavirus Relief Fund to the named recipients for the purposes specified:

(1) Legal and counseling services.

(A) \$550,000.00 to Vermont Legal Aid to provide legal and counseling services to persons who are, or are at risk of, experiencing homelessness, or who have suffered economic harm due to the COVID-19 crisis.

(B) \$250,000.00 to the Department of Housing and Community Development for grants to organizations that provide counseling and assistance to landlords concerning tenancy, rental assistance, and related issues arising due to the COVID-19 crisis.

(2) Housing and facilities. \$9,000,000.00 to the Vermont Housing and Conservation Board, which the Board shall use, in part through grants to nonprofit housing partners and service organizations, for housing and facilities necessary to provide safe shelter and assistance for persons who are, or are at risk of, experiencing homelessness, or who have suffered economic harm due to the COVID-19 crisis, in order to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

(3) Foreclosure protection. \$6,000,000.00 to the Vermont Housing Finance Agency to provide financial and technical assistance to stabilize low- and moderate-income homeowners and prevent home foreclosures for Vermont families.

(A)(i) The Agency shall develop a standard application form for homeowners that describes the application process and includes clear instructions and examples to help homeowners apply.

(ii) The Agency shall implement a selection process that ensures equitable approval of applications and a distribution system that ensures accountability for homeowners receiving the funds.

(B) The Agency shall develop eligibility requirements to ensure the funds are applied towards homeowners equitably, including:

(i) limitations for eligibility regarding the earned income of the homeowners in comparison to the area median income;

(ii) forms and guidelines for homeowners to certify or otherwise prove a demonstrable need for assistance;

(iii) limitations on actual cash benefits, which shall not exceed the actual mortgage liability or six times the monthly mortgage liability, whichever is less; and

(iv) a reapplication process that provides that if program funds remain at the end of the six-month period, the homeowner may apply for additional assistance.

(4) Rental assistance; eviction protection. \$30,000,000.00 to the Vermont State Housing Authority, which shall administer the distribution of funds to landlords on behalf of tenants in need of rental arrearage assistance.

(A) In developing the Program, the Authority shall coordinate with the Agency of Human Services and statewide and regional housing and homelessness authorities to provide additional support services and better promote upstream homelessness prevention and housing stability.

(B) The Authority shall develop a standard application form for landlords and tenants, including mobile home lot tenants and homeless households, that describes the application process and includes clear instructions and examples to help tenants or landlords apply.

(C)(i) The Authority shall implement a selection process that ensures equitable approval of applications, notice of grant decisions within 10 days,

and decisions on appeals within in 10 days, and a distribution system that ensures accountability for the tenants and landlords that receive funds.

(ii) The Authority shall ensure decisions are made according to the rules of the program and without regard to any previous information or decisions known concerning tenants, and no tenant or landlord may benefit or suffer harm due to previous knowledge or decisions.

(D)(i) The Authority shall develop eligibility requirements to ensure that funds are applied equitably towards tenants, currently homeless households, and landlords and to those in the most need, including:

(I) certification of rent arrears;

(II) waiver of termination of tenancy or eviction for a period of time;

(III) waiver of late fees and rent in excess of Authority payment standards;

(IV) compliance with Rental Housing Health Code within 30 days; and

(V) agreement not to increase rent for a period of time.

(ii) Other requirements.

(I) The Authority shall ensure that assistance is provided directly to the landlords on the tenants' behalf.

(II) The Authority shall ensure a streamlined application process limited to a tenant certification of household members and a landlord certification of past due rent to show that tenants have missed rental payments and are at risk of eviction, or otherwise show proof of a demonstrable need for rental assistance.

(III) The Authority shall require that landlords delay or cease eviction proceedings, or both, for a period of time as a condition of receiving assistance, provided that an exception may be made if a landlord applies and the tenant has not paid rent nor certified need, in which case the landlord may receive partial payment of arrears and retain right to evict.

(IV) The Authority shall adopt limitations on assistance granted that shall not exceed the actual liability or those number of months due calculated at Vermont State Housing Payment level, whichever is less. This restriction shall include a reapplication process that provides that if there are remaining Program funds if the tenant is in arrears at a later date, the tenant may reapply for assistance.

(V) For tenants in unsustainable tenancies and households that received emergency housing benefits from Department for Children and Families' General Assistance Program since March 1, 2020, funds may be used for first and last months' rent and security deposit, and, where necessary, rent payments through December 30, 2020. To obtain these benefits, a landlord

must certify that the individual or family will be accepted as a tenant; that the landlord will not evict the tenant for nonpayment of rent before January 1, 2021; and, if the tenant leaves the unit prior to January 1, 2021, the landlord will refund to the Authority the rental amount previously received for any rental period after which the tenant left and for the security deposit if reimbursement is appropriate.

(E) Not later than August 10, 2020 and thereafter upon request from a legislative committee, the Authority shall issue a report to the General Assembly detailing the number and amount of grants awarded in each category by county.

(5) Rehousing investments.

(A) Creation of program. The amount of \$6,200,000.00 is appropriated to the Department of Housing and Community Development to design and implement a Re-housing Recovery Program to provide funding to statewide and regional housing partner organizations for grants to eligible applicants.

(B) Administration. The Department shall require any statewide or regional housing partner organization that receives funding under the Program to develop:

(i) a standard application form that describes the application process and includes clear instructions and examples to help property owners apply;

(ii) a selection process that ensures equitable selection of property owners; and

(iii) a grants management system that ensures accountability for funds awarded to property owners.

(C) Grant requirements.

(i) The Department shall ensure each grant complies with the following requirements:

(I) A property owner may apply for a grant of up to \$30,000.00 per unit.

(II) To be eligible a unit must be blighted, vacant, or otherwise not comply with applicable rental housing health and safety laws.

(ii) A property owner shall:

(I) match at least 10 percent of the value of the grant; and

(II) comply with applicable permit requirements and rental housing health and safety laws.

(iii) The Department shall use one or more legally binding mechanisms to ensure that:

(I) renovated units are made available to persons who require economic assistance due to the COVID-19 crisis;

(II) the rent charged remains at or below annually published HUD Fair Market Rent for the County or Metropolitan Statistical Area for at least five years; and

(III) if a property owner sells or transfers a property improved with grant funds within five years of receiving the funds, the property continues to remain affordable for the remainder of the five-year period.

(D) The Department shall develop requirements regarding the following:

(i) encouraging and incentivizing statewide and regional housing partner organizations and property owners to work with local continua of care organizations; and

(ii) limitations on the number of units for which an individual owner may receive grant funds.

(E) Definitions. As used in this section:

(i) “Blighted” means that a rental unit is not fit for human habitation and does not comply with the requirements of applicable building, housing, and health regulations.

(ii) “Vacant” means that a rental unit has not been leased or occupied for at least 90 days prior to the date on which a property owner

submits an application and the unit remains unoccupied at the time of the award.

(b) On or after September 1, 2020, the Department of Housing and Community Development, in consultation with the funding recipients named in this section, shall assess the allocation and expenditure of funds made in this section and may re-allocate funds as the Department determines is necessary to most effectively provide necessary housing-related assistance to Vermonters affected by the COVID-19 crisis.

Sec. 11a. HOUSING, RENTAL ASSISTANCE, AND SUPPORT

SERVICES; CORONAVIRUS RELIEF FUND; APPROPRIATION

(a) The sum of \$16,061,600.00 is appropriated from the Coronavirus Relief Fund to the Department for Children and Families in fiscal year 2021 to fund programs and services that support safe, stable housing opportunities for Vermont households experiencing homelessness as a result of the COVID-19 public health emergency and related administrative costs. The programs and services funded by this appropriation may include:

(1) expanding the Vermont Rental Subsidy program to provide homeless households with temporary rental assistance through December 30, 2020 as a bridge to public housing vouchers;

(2) providing or arranging for housing navigation and case management services, such as identifying housing barriers, needs, and preferences;

developing and implementing plans to find and secure housing; conducting outreach to potential landlords; assisting with relocation logistics; developing permanent housing support crisis plans; and identifying other services necessary for households to maintain permanent housing;

(3) providing financial assistance to Vermont households who are living in motels to help them rapidly resolve their homelessness and enter into safe housing arrangements;

(4) supplementing the General Assistance motel voucher program to address the immediate housing needs of households who are currently living in motels or hotels around the State and whose motel or hotel lodging is related to a disruption to their previous housing situation as a result of the COVID-19 public health emergency; and

(5) capitalizing a housing risk pool for landlords to encourage rentals to individuals experiencing homelessness or housing insecurity, which would help landlords lessen their risk of exposure to financial loss through December 20, 2020, while renting to households that have poor or no rental housing history as result of financial hardship due to the COVID-19 public health emergency.

(b) The General Assembly determines that the expenditure of monies from the Coronavirus Relief Fund as set forth in this section is necessary to secure safe, stable housing opportunities for Vermont households experiencing

homelessness, many of whom have been disproportionately impacted by unemployment, business closures, or business interruptions as a result of the COVID-19 public health emergency. The number of households living in State-supported motels or hotels grew from approximately 300 to 1,400 over the course of two months. The COVID-19 pandemic has rendered housing in shelters incompatible with maintaining public health; increased the number of households experiencing homelessness and in need of housing supports to obtain or maintain safe, stable housing; and created a demand for diverse social services to safely house these vulnerable Vermonters.

(c) The provision of housing programs and services is not compensable under this section to the extent that the same costs or expenses have been or will be covered by other federal funds.

* * * Coronavirus Relief Fund; Administrative Provisions * * *

Sec. 12. CONSISTENCY WITH CARES ACT AND GUIDANCE

The General Assembly determines that the expenditure of monies from the Coronavirus Relief Fund as set forth in this act complies with the requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance because the costs to be covered:

(1) are necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);

(2) were not accounted for in Vermont's fiscal year 2020 budget; and

(3) were, or will be, incurred during the period beginning on March 1, 2020 and ending on December 30, 2020.

Sec. 13. GRANT RECIPIENT REQUIREMENTS; REVERSION AND
REALLOCATION SCHEDULE

All appropriations made from the State's Coronavirus Relief Fund (CRF) in this and other bills passed after March 1, 2020 as part of the 2020 legislative session are made with the knowledge that the statutory and regulatory context is constantly changing. Additional federal legislation may further change the potential for and appropriateness of CRF usage. As a result:

(1) Appropriations from the CRF are subject to changes in source of funds that may occur as the result of subsequent legislation or through administrative actions, where permissible by law.

(2) Specific CRF uses may need to change based on changes to federal laws or on revised or updated federal guidance.

(3) It is the responsibility of all entities receiving CRF monies to ensure compliance with all federal guidelines as to CRF spending and use.

(4) Unless otherwise authorized by the Commissioner of Finance and Management, any monies appropriated from the CRF shall revert to the CRF to the extent that they have not been expended by December 20, 2020 to enable reallocation.

Sec. 14. CORONAVIRUS RELIEF FUND GRANTS; CONDITIONS

(a) Any person receiving a grant comprising monies from the Coronavirus Relief Fund shall use the monies only for purposes that comply with the requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance.

(b) Any person who expends monies from the Coronavirus Relief Fund for purposes not eligible under Sec. 5001 of the CARES Act, Pub. L. No. 116-136 and related guidance shall be liable for repayment of the funds to the State of Vermont; provided, however, that a person shall not be liable for such repayment if the person expended the monies in good faith reliance on authorization of the proposed expenditure by or specific guidance from the agency or department administering the grant program.

(c) The Attorney General or a State agency or department administering a grant program established or authorized under this act may seek appropriate criminal or civil penalties as authorized by law for a violation of the terms or conditions of the applicable program, grant, or award.

Sec. 15. CORONAVIRUS RELIEF FUND; RECORD KEEPING;

COMPLIANCE

(a) In order to ensure compliance with the requirements of Sec. 5001 of the CARES Act, Pub. L. No. 116-136, and related guidance, and to assist the State in demonstrating such compliance:

(1) any agency or department, and any subrecipient of a grant, that is authorized to disburse grant funds appropriated by this act shall include standard audit provisions, as required by Agency of Administration Bulletins 3.5 and 5, in all contracts, loans, and grant agreements; and

(2) each grant recipient shall report on its use of the monies received pursuant to this act to the agency or department administering the grant as required by that agency or department and shall maintain records of its expenditures of the monies for three years, or for a longer period if so required by State or federal law, to enable verification as needed.

(b) On or before July 31, 2020 and September 1, 2020, each agency or department administering a grant program pursuant to this act shall provide information to the legislative committees of jurisdiction, including the House and Senate Committees on Appropriations, regarding its distribution of grant funds to date, the amount of grant funds that remains available for distribution, and its plans for awarding the available funds by December 20, 2020.

* * * Effective Date * * *

Sec. 16. EFFECTIVE DATE

This act shall take effect on passage.