

1 H.461

2 Introduced by Representative Ancel of Calais

3 Referred to Committee on

4 Date:

5 Subject: Taxation; education property tax; household; asylum seekers, asylees,  
6 and refugees

7 Statement of purpose of bill as introduced: This bill proposes to amend the  
8 definition of household for the purposes of the homestead property tax credit  
9 in order to exclude the income of asylum seekers, asylees, and refugees from  
10 household income.

11 An act relating to excluding the income of asylum seekers and refugees  
12 from household income

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

14 ~~Sec. 1. 32 V.S.A. § 6061(3) is amended to read:~~

15 (3) "Household" means, for any individual and for any taxable year, the  
16 individual and such other persons as resided with the individual in the  
17 principal dwelling at any time during the taxable year. A person who is not  
18 related to any member of the household and who is residing in the household  
19 under a written homesharing agreement pursuant to a nonprofit homesharing  
20 ~~program, a person residing in the household who is seeking or has been~~

1 ~~granted asylum pursuant to 8 U.S.C. § 1158 or who qualifies as a refugee~~  
2 ~~pursuant to 8 U.S.C. § 1101(a)(42), or a person residing in a household who is~~  
3 ~~hired as a bona fide employee to provide personal care to a member of the~~  
4 ~~household and who is not related to the person for whom the care is provided~~  
5 ~~shall not be considered to be a member of the household.~~

*Sec. 1. 32 V.S.A. § 6061(3) is amended to read:*

*(3)(A) "Household" means, for any individual and for any taxable year, the individual and such other persons as resided with the individual in the principal dwelling at any time during the taxable year.*

*(B) The following shall not be considered members of the household:*

*(i) A a person who is not related to any member of the household and who is residing in the household under a written homesharing agreement pursuant to a nonprofit homesharing program;*

~~*(ii) a person residing in the household who was granted humanitarian parole to enter the United States pursuant to 8 C.F.R. § 212.5, who is seeking or has been granted asylum pursuant to 8 U.S.C. § 1158, or who qualifies as a refugee pursuant to 8 U.S.C. § 1101(a)(42), provided the person is not eligible or required under the laws of the United States to apply for lawful permanent residency, or*~~

*(ii) a person residing in the household who was granted humanitarian parole to enter the United States pursuant to 8 U.S.C.*

*§ 1182(d)(5), who is seeking or has been granted asylum pursuant to 8 U.S.C. § 1158, or who qualifies as a refugee pursuant to 8 U.S.C. § 1101(a)(42), provided the person is not eligible under the laws of the United States to apply for adjustment of status to lawful permanent resident; or*

*(iii) a person residing in a household who is hired as a bona fide employee to provide personal care to a member of the household and who is not related to the person for whom the care is provided shall ~~not be considered to be a member of the household.~~*

1      Sec. 2. EFFECTIVE DATE

2            Notwithstanding 1 V.S.A. § 214, this act shall take effect retroactively on  
3            January 1, 2021 and shall apply to determinations of household members for  
4            the purpose of declaring household income on and after January 1, 2022.