

1

S.226

2

Introduced by Senators Ram Hinsdale and Clarkson

3

Referred to Committee on

4

Date:

5

Subject: Housing

6

Statement of purpose of bill as introduced: This bill proposes to increase the

7

supply of affordable housing in this State, promote homeownership, and

8

broaden housing opportunities for Vermonters.

9

An act relating to expanding access to safe and affordable housing

10

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

11

* * * Municipal and Regional Land Banks * * *

12

Sec. 1. 24 V.S.A. chapter 139 is added to read:

13

CHAPTER 139. MUNICIPAL AND REGIONAL LAND BANKS

14

§ 5801. PURPOSE

15

The purpose of this chapter is to enable formation of special municipal and

16

regional land banks to revitalize communities by vesting the banks with the

17

authority to purchase, own, and convey real property that is blighted or vacant.

1 § 5802. ESTABLISHMENT; AUTHORITY

2 (a) The legislative bodies of one or more municipalities may apply for
3 approval from the Agency of Commerce and Community Development to
4 establish a municipal or regional land bank.

5 (b)(1) The application to the Agency shall describe the types of property to
6 be acquired; the plan for financing its acquisition; the anticipated economic
7 benefits; the source of revenues for any loan, bond, or lease payments; and
8 plans for retention and disbursement of excess revenues, if any.

9 (2) The application also shall clearly state that the proposed land bank
10 shall not have authority to levy taxes upon the grand list and may not levy
11 service charges or fees upon any underlying municipality except for services
12 used by such municipality, its own officers, and employees in the operation of
13 municipal functions.

14 (3) The Agency shall approve the application if it determines the
15 proposal complies with this chapter and will promote the public good.

16 (c) Upon approval of the Agency, a land bank shall have the authority:

17 (1) to acquire, own, and lease, sell, or transfer blighted property located
18 within a member municipality;

19 (2) pursuant to an invitation from a member municipality, to submit an
20 exclusive bid on the purchase or acquisition of blighted property prior to the
21 commencement of a municipal condemnation or foreclosure action;

1 (3) to resolve title, lien, or related issues; and

2 (4) notwithstanding any provision of law to the contrary, to hold and
3 transfer blighted property and make improvements free of State and municipal
4 tax.

5 § 5803. GOVERNING BOARD; COMPOSITION; MEETINGS; REPORT

6 (a) Governing board. The legislative power and authority of a land bank
7 and the administration and the general supervision of all fiscal, prudential, and
8 governmental affairs of a land bank shall be vested in a governing board,
9 except as otherwise specifically provided in this chapter.

10 (b) Composition. The governing board of the land bank shall consist of
11 members appointed in equal numbers by the legislative bodies of the
12 underlying municipalities and shall include diverse representation from the
13 public and private sectors.

14 § 5804. AUDIT

15 Once the land bank becomes operational, the board shall cause an audit of
16 the financial condition of the land bank to be performed annually by an
17 independent professional accounting firm. The results of the audit shall be
18 provided to the governing board and to the legislative bodies of the
19 municipalities in which the land bank is located.

1 § 5805. DISSOLUTION

2 (a) If the board by resolution approved by a two-thirds' vote determines
3 that it is in the best interests of the public, the land bank members, and the land
4 bank that such land bank be dissolved, and if the land bank then has no
5 outstanding obligations under pledges of land bank assets or revenue, long-
6 term contracts, or contracts subject to annual appropriation, or will have no
7 such debt or obligation upon completion of the plan of dissolution, it shall
8 adopt a plan of dissolution.

9 (b) The plan of dissolution shall:

10 (1) identify and value all unencumbered assets;

11 (2) identify and value all encumbered assets;

12 (3) identify all creditors and the nature or amount of all liabilities and
13 obligations;

14 (4) identify all obligations under long-term contracts and contracts
15 subject to annual appropriation;

16 (5) specify the means by which assets of the land bank shall be
17 liquidated and all liabilities and obligations paid and discharged, or adequate
18 provision made for the satisfaction of them;

19 (6) specify the means by which any assets remaining after discharge of
20 all liabilities shall be liquidated if necessary; and

1 (7) specify that any assets remaining after payment of all liabilities shall
2 be apportioned and distributed among the land bank member municipalities
3 according to a formula based upon population.

4 * * * Housing; Permit Reform * * *

5 Sec. 2. 24 V.S.A. § 2793e is amended to read:

6 § 2793e. NEIGHBORHOOD PLANNING AREAS; DESIGNATION OF
7 NEIGHBORHOOD DEVELOPMENT AREAS

8 (a) Purpose. This section is intended to encourage a municipality to plan
9 for new and infill housing in the area including and immediately encircling its
10 designated downtown, village center, new town center, or within its designated
11 growth center in order to provide needed housing and to further support the
12 commercial establishments in the designated center. To support this goal, this
13 section sets out a two-component process.

14 * * *

15 (b) Definitions.

16 (1) “Neighborhood planning area” means an automatically delineated
17 area including and encircling a downtown, village center, or new town center
18 designated under this chapter or within a growth center designated under this
19 chapter. A neighborhood planning area is used for the purpose of identifying
20 locations suitable for new and infill housing that will support a development
21 pattern that is compact, oriented to pedestrians, and consistent with smart

1 growth principles. To ensure a compact settlement pattern, the outer boundary
2 of a neighborhood planning area shall be located entirely within the boundaries
3 of the applicant municipality, unless a joint application is submitted by more
4 than one municipality, and shall be determined:

5 (A) for a municipality with a designated downtown, by measuring out
6 ~~one-half~~ three-quarters of a mile from each point around the entire perimeter of
7 the designated downtown boundary;

8 (B) for a municipality with one or more designated village centers, by
9 measuring out ~~one-quarter~~ one-half mile from each point around the entire
10 perimeter of the designated village center boundary;

11 (C) for a municipality with a designated new town center, by measuring
12 out ~~one-quarter~~ one-half mile from each point around the entire perimeter of
13 the designated new town center boundary; and

14 (D) for a municipality with a designated growth center, as the same
15 boundary as the designated growth center boundary.

16 * * *

17 (c) Application for designation of a neighborhood development area. The
18 State Board shall approve a neighborhood development area if the application
19 demonstrates and includes all of the following elements:

20 * * *

1 (5) The proposed neighborhood development area consists of those
2 portions of the neighborhood planning area that are appropriate for new and
3 infill housing, excluding ~~identified~~ undeveloped flood hazard and fluvial
4 erosion areas. In determining what areas are most suitable for new and infill
5 housing, the municipality shall balance local goals for future land use, the
6 availability of land for housing within the neighborhood planning area, and the
7 smart growth principles. Based on those considerations, the municipality shall
8 select an area for neighborhood development area designation that:

9 (A) Avoids or that minimizes to the extent feasible the inclusion of
10 “important natural resources” as defined in subdivision 2791(14) of this title.
11 If an “important natural resource” is included within a proposed neighborhood
12 development area, the applicant shall identify the resource, explain why the
13 resource was included, describe any anticipated disturbance to such resource,
14 and describe why the disturbance cannot be avoided or minimized. If the
15 neighborhood planning area includes floodplains or river corridors, the local
16 bylaws shall contain provisions to ensure that any development is elevated or
17 flood proofed at least two feet above Base Flood Elevation or otherwise
18 reasonably safe from flooding.

19 * * *

20 (6) The neighborhood development area is served by at least one of the
21 following:

1 (A) municipal sewer infrastructure; ~~or~~

2 (B) a community or alternative wastewater system approved by the
3 Agency of Natural Resources; or

4 (C) a public community water system.

5 (7) The municipal bylaws allow minimum net residential densities
6 within the neighborhood development area greater than or equal to four ~~single-~~
7 ~~family detached~~ dwelling units per acre, exclusive of accessory dwelling units
8 but inclusive of density bonuses or other incentives, or ~~no~~ not fewer than the
9 average existing density of the surrounding neighborhood, whichever is
10 greater. The methodology for calculating density shall be established in the
11 guidelines developed by the Department pursuant to subsection 2792(d) of this
12 title.

13 * * *

14 Sec. 2a. 24 V.S.A. § 2793b is amended to read:

15 § 2793b. DESIGNATION OF NEW TOWN CENTER DEVELOPMENT

16 DISTRICTS

17 (a) A municipality, by its legislative body, may apply to the State Board for
18 designation of an area within that municipality as a new town center
19 development district, provided no traditional downtown ~~or new town center~~
20 already exists in that municipality, unless geographic features, natural hazards,

1 or public or conserved lands significantly constrain opportunities for
2 development in or immediately adjacent to that traditional downtown.

3 * * *

4 (b) Within 45 days of receipt of a completed application, the State Board
5 shall designate a new town center development district if the State Board finds,
6 with respect to that district, the municipality has:

7 * * *

8 (2) Provided a community investment agreement that has been executed
9 by authorized representatives of the municipal government, businesses and
10 property owners within the district, and community groups with an articulated
11 purpose of supporting downtown interests, and contains the following:

12 * * *

13 (B) Regulations enabling ~~high~~ densities that are ~~greater~~ not less than
14 four dwelling units per acre and not less than those allowed in any ~~other~~ part of
15 the municipality not within an area designated under this chapter.

16 * * *

17 Sec. 2b. 10 V.S.A. § 6001 is amended to read:

18 § 6001. DEFINITIONS

19 As used in this chapter:

20 * * *

1 (3)(A) “Development” means each of the following:

2 * * *

3 (iv) The construction of housing projects such as cooperatives,
4 condominiums, or dwellings, or construction or maintenance of mobile homes
5 or mobile home parks, with 10 or more units, constructed or maintained on a
6 tract or tracts of land, owned or controlled by a person, within a radius of five
7 miles of any point on any involved land and within any continuous period of
8 five years. However:

9 (I) A priority housing project shall constitute a development
10 under this subdivision (iv) only if the number of housing units in the project is:

11 ~~(aa) [Repealed.]~~

12 ~~(bb) [Repealed.]~~

13 ~~(cc) 75 or more, in a municipality with a population of 6,000~~
14 ~~or more but less than 10,000.~~

15 ~~(dd) 50 or more, in a municipality with a population of~~
16 ~~3,000 or more but less than 6,000.~~

17 ~~(ee) 25 or more, in a municipality with a population of less~~
18 ~~than 3,000.~~

19 ~~(ff) Notwithstanding subdivisions (cc) through (ee) of this~~
20 ~~subdivision (3)(A)(iv)(I), 10 or more if the construction involves the~~
21 ~~demolition of one or more buildings that are listed on or eligible to be listed on~~

1 the State or National Register of Historic Places. However, demolition shall
2 not be considered to create jurisdiction under this subdivision ~~(ff)~~(I) if the
3 Division for Historic Preservation has determined that the proposed demolition
4 will have no adverse effect, will have no adverse effect if specified conditions
5 are met, or will have an adverse effect that will be adequately mitigated. Any
6 imposed conditions shall be enforceable through a grant condition, deed
7 covenant, or other legally binding document.

8 * * *

9 (D) The word “development” does not include:

10 * * *

11 (viii)(I) The construction of a priority housing project ~~in a~~
12 ~~municipality with a population of 10,000 or more.~~

13 (II) If the construction of a priority housing project in this
14 subdivision (3)(D)(viii) involves demolition of one or more buildings that are
15 listed or eligible to be listed on the State or National Register of Historic
16 Places, this exemption shall not apply unless the Division for Historic
17 Preservation has made the determination described in subdivision (A)(iv)(I)~~(ff)~~
18 of this subdivision (3) and any imposed conditions are enforceable in the
19 manner set forth in that subdivision.

20 * * *

1 Sec. 2c. 10 V.S.A. § 6081(p) is amended to read:

2 ~~(p)(1) No permit or permit amendment is required for any change to a~~
3 ~~project that is located entirely within a downtown development district~~
4 ~~designated pursuant to 24 V.S.A. § 2793, if the change consists exclusively of~~
5 ~~any combination of mixed use and mixed income housing, and the cumulative~~
6 ~~changes within any continuous period of five years, commencing on or after~~
7 ~~May 28, 2002, remain below any applicable jurisdictional threshold specified~~
8 ~~in subdivision 6001(3)(A)(iv)(I) of this title.~~

9 ~~(2) No permit or permit amendment is required for a priority housing~~
10 ~~project in a designated center other than a downtown development district if~~
11 ~~the project remains below any applicable jurisdictional threshold specified in~~
12 ~~subdivision 6001(3)(A)(iv)(I) of this title and will comply with all conditions~~
13 ~~of any existing permit or permit amendment issued under this chapter that~~
14 ~~applies to the tract or tracts on which the project will be located. If such a~~
15 ~~priority housing project will not comply with one or more of these conditions,~~
16 ~~an application may be filed pursuant to section 6084 of this title.~~

17 Sec. 2d. 10 V.S.A. § 6086 is amended to read:

18 § 6086. ISSUANCE OF PERMIT; CONDITIONS AND CRITERIA

19 (a) Before granting a permit, the District Commission shall find that the
20 subdivision or development:

21 * * *

1 (D) Floodways. A permit will be granted whenever it is
2 demonstrated by the applicant that, in addition to all other applicable criteria:

3 (i) ~~the~~ The development or subdivision of lands within a floodway
4 will not restrict or divert the flow of ~~flood waters~~ floodwaters, and endanger the
5 health, safety, and welfare of the public or of riparian owners during flooding;
6 and.

7 (ii) ~~the~~ The development or subdivision of lands within a
8 floodway fringe will not significantly increase the peak discharge of the river
9 or stream within or downstream from the area of development and endanger
10 the health, safety, or welfare of the public or riparian owners during flooding.

11 (iii) Notwithstanding subdivisions (i) and (ii) of this subdivision
12 (D), within an existing settlement, a permit shall be granted if all occupied
13 space is elevated or flood proofed at least two feet above Base Flood Elevation
14 or otherwise designed to be reasonably safe from flooding.

15 * * *

16 Sec. 2e. 10 V.S.A. § 6093 is amended to read:

17 § 6093. MITIGATION OF PRIMARY AGRICULTURAL SOILS

18 (a) Mitigation for loss of primary agricultural soils. Suitable mitigation for
19 the conversion of primary agricultural soils necessary to satisfy subdivision
20 6086(a)(9)(B)(iv) of this title shall depend on where the project tract is located.

1 (1) Project located in certain designated areas. This subdivision applies
2 to projects located in the following areas designated under 24 V.S.A. chapter
3 76A: a downtown development district, a growth center, a new town center
4 ~~designated on or before January 1, 2014~~, and a neighborhood development area
5 ~~associated with a designated downtown development district~~. If the project
6 tract is located in one of these designated areas, an applicant who complies
7 with subdivision 6086(a)(9)(B)(iv) of this title shall deposit an offsite
8 mitigation fee into the Vermont Housing and Conservation Trust Fund
9 established under section 312 of this title for the purpose of preserving primary
10 agricultural soils of equal or greater value with the highest priority given to
11 preserving prime agricultural soils as defined by the U.S. Department of
12 Agriculture. Any required offsite mitigation fee shall be derived by:

13 (A) Determining the number of acres of primary agricultural soils
14 affected by the proposed development or subdivision.

15 (B) Multiplying the number of affected acres of primary agricultural
16 soils by a factor resulting in a ratio established as follows:

17 (i) For development or subdivision within a designated area
18 described in this subdivision (a)(1), the ratio shall be 1:1.

19 (ii) For residential construction that has a density of at least eight
20 units of housing per acre, of which at least eight units per acre or at least
21 40 percent of the units, on average, in the entire development or subdivision,

1 ~~shall be preserved inside a designated area described in subdivision (a)(1) of~~
2 ~~this section. For projects located within such a designated area, all factors used~~
3 ~~to calculate suitable mitigation acreage or fees, or some combination of these~~
4 ~~measures, shall be as specified in this subsection, subject to a ratio of 1:1.~~

5 [Repealed.]

6 * * *

7 Sec. 2f. 24 V.S.A. § 4412 is amended to read:

8 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

9 Notwithstanding any existing bylaw, the following land development
10 provisions shall apply in every municipality:

11 (1) Equal treatment of housing and required provisions for affordable
12 housing.

13 * * *

14 (D) ~~Bylaws shall designate appropriate districts and reasonable~~
15 ~~regulations for multiunit or multifamily dwellings. No bylaw shall have the~~
16 ~~effect of excluding these multiunit or multifamily dwellings from the~~
17 ~~municipality. In any district that allows residential development, no bylaw~~
18 ~~shall have the effect of prohibiting multiunit or multifamily dwellings.~~

19 * * *

1 Sec. 2g. NEIGHBORHOOD DEVELOPMENT AREA TASK FORCE;

2 REPORT

3 (a) Creation. There is created the Neighborhood Development Area Task
4 Force.

5 (b) Membership. The Task Force shall be composed of six planners and
6 housing advocates from communities with areas designated as neighborhood
7 development areas pursuant to 24 V.S.A. chapter 76A. Three members shall
8 be appointed by the Speaker of the House, and three shall be appointed by the
9 Committee on Committees.

10 (c) The Task Force shall review the current application guide for
11 designated neighborhood development areas and determine if the current
12 criteria for the neighborhood development areas should be changed. The Task
13 Force should recommend alternatives to the current requirements for
14 designation of a neighborhood development area.

15 (d) Report. On or before January 15, 2023, the Task Force shall submit a
16 written report to the General Assembly with its findings and any
17 recommendations for legislative action.

1 * * * Housing Incentives; Smart Growth * * *

2 Sec. 3. COVID-19 FUNDING; HOUSING; SMART GROWTH

3 PRINICIPLES

4 A public entity or private organization that receives a grant or subgrant of
5 federal COVID-19 relief funds to purchase, renovate, or construct housing in
6 this State shall, to the fullest extent possible, design and implement its program
7 and award funding to applicants consistent with smart growth principles,
8 including:

9 (1) to promote compact, sustainable communities with infill
10 development in areas designated for growth in municipal and regional plans;

11 (2) to preserve open, natural space and to protect natural resources and
12 the environment;

13 (3) to accommodate a variety of safe, affordable, and efficient
14 transportation choices; and

15 (4) to expand the range of affordable housing available to Vermonters
16 across communities.

17 * * * Homeless Bill of Rights * * *

18 Sec. 4. FINDINGS

19 The Vermont General Assembly finds that:

20 (1) At the present time, many persons have been rendered homeless as a
21 result of economic hardship and a shortage of safe and affordable housing.

1 (2) Article 1 of Chapter I of the Vermont Constitution states that
2 Vermonters are “equally free and independent,” and Article 7 of Chapter I
3 states that all Vermonters are entitled to the same benefits and protections. As
4 a result, a person should not be subject to discrimination based on the person’s
5 housing status or being homeless.

6 (3) It is the intent of this act to help mitigate both the discrimination
7 persons without homes or perceived to be without homes face and the adverse
8 effects individuals and communities suffer when a person lacks a home.

9 Sec. 4a. 1 V.S.A. § 274 is added to read:

10 § 274. HOMELESS BILL OF RIGHTS

11 (a) A person’s rights, privileges, or access to public services shall not be
12 denied or abridged solely because of the person’s housing status. Such a
13 person shall be granted the same rights and privileges as any other resident of
14 this State.

15 (b) A person shall have the right:

16 (1) to use and move freely in public places, including public sidewalks,
17 parks, transportation, and buildings, in the same manner as any other person
18 and without discrimination on the basis of the person’s housing status;

19 (2) to equal treatment by all State and municipal agencies without
20 discrimination on the basis of the person’s housing status;

1 (3) not to face discrimination while seeking or maintaining employment,
2 due to the person's housing status;

3 (4) to emergency medical care free from discrimination based on the
4 person's housing status;

5 (5) to vote, register to vote, and receive documentation necessary to
6 prove identity for voting, without discrimination due to the person's housing
7 status;

8 (6) to confidentiality of personal records and information in accordance
9 with all limitations on disclosure established by State and federal law,
10 including the Federal Homeless Management Information Systems, the Federal
11 Health Insurance Portability and Accountability Act, and the Federal Violence
12 Against Women Act, without discrimination based on the person's housing
13 status;

14 (7) to a reasonable expectation of privacy in the person's personal
15 property without discrimination based on his or her housing status; and

16 (8) to immediate and continued enrollment of the person's school-age
17 children based on the best interests of the child as provided for in 16 V.S.A.
18 § 1075(e) and the McKinney-Vento Homeless Assistance Act, 42 U.S.C.
19 §§ 11431–11435 without discrimination based on his or her housing status.

20 (c) No person shall be subject to civil or criminal sanctions for soliciting,
21 sharing, accepting, or offering food, water, money, or other donations in:

1 (1) a public place; or

2 (2) a place of public accommodation with the consent of the owner or
3 other person representing the place of public accommodation and in a manner
4 that does not interfere with normal business operations.

5 (d) No law shall target a person based on that person’s housing status or the
6 harmless activities associated with homelessness, or the provision of supports
7 or services to a person without housing or perceived to be without housing in:

8 (1) a public place; or

9 (2) a place of public accommodation with the consent of the owner or
10 other person representing the place of public accommodation and in a manner
11 that does not interfere with normal business operations.

12 (e) A person aggrieved by a violation of this section may bring an action in
13 Superior Court for appropriate relief, including injunctive relief and actual
14 damages sustained as a result of the violation, costs, and reasonable attorney’s
15 fees.

16 (f) As used in this section:

17 (1) “Housing status” means the actual or perceived status of being
18 homeless, being a homeless individual, or being a homeless person, as defined
19 in 42 U.S.C. § 11302.

20 (2) “Place of public accommodation” has the same meaning as in
21 9 V.S.A. § 4501(1).

1 Sec. 4b. 9 V.S.A. § 4501 is amended to read:

2 § 4501. DEFINITIONS

3 As used in this chapter:

4 * * *

5 (12) “Housing status” means the actual or perceived status of being
6 homeless, being a homeless individual, or being a homeless person, as defined
7 in 42 U.S.C. § 11302.

8 Sec. 4c. 9 V.S.A. § 4502 is amended to read:

9 § 4502. PUBLIC ACCOMMODATIONS

10 (a) An owner or operator of a place of public accommodation or an agent
11 or employee of such owner or operator shall not, because of the race, creed,
12 color, national origin, housing status, marital status, sex, sexual orientation, or
13 gender identity of any person, refuse, withhold from, or deny to that person
14 any of the accommodations, advantages, facilities, and privileges of the place
15 of public accommodation.

16 * * *

17 Sec. 4d. 9 V.S.A. § 4503 is amended to read:

18 § 4503. UNFAIR HOUSING PRACTICES

19 (a) It shall be unlawful for any person:

20 (1) To refuse to sell or rent, or refuse to negotiate for the sale or rental
21 of, or otherwise make unavailable or deny, a dwelling or other real estate to

1 any person because of the race, sex, sexual orientation, gender identity, age,
2 marital status, religious creed, color, national origin, housing status, or
3 disability of a person, or because a person intends to occupy a dwelling with
4 one or more minor children, or because a person is a recipient of public
5 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

6 (2) To discriminate against, or to harass any person in the terms,
7 conditions, privileges, and protections of the sale or rental of a dwelling or
8 other real estate, or in the provision of services or facilities in connection
9 therewith, because of the race, sex, sexual orientation, gender identity, age,
10 marital status, religious creed, color, national origin, housing status, or
11 disability of a person, or because a person intends to occupy a dwelling with
12 one or more minor children, or because a person is a recipient of public
13 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

14 (3) To make, print, or publish, or cause to be made, printed, or published
15 any notice, statement, or advertisement, with respect to the sale or rental of a
16 dwelling or other real estate, that indicates any preference, limitation, or
17 discrimination based on race, sex, sexual orientation, gender identity, age,
18 marital status, religious creed, color, national origin, housing status, or
19 disability of a person, or because a person intends to occupy a dwelling with
20 one or more minor children, or because a person is a recipient of public
21 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

1 membership, or participation, on account of race, sex, sexual orientation,
2 gender identity, age, marital status, religious creed, color, national origin,
3 housing status, or disability of a person, or because a person is a recipient of
4 public assistance, or because a person is a victim of abuse, sexual assault, or
5 stalking.

6 * * *

7 (12) To discriminate in land use decisions or in the permitting of
8 housing because of race, sex, sexual orientation, gender identity, age, marital
9 status, religious creed, color, national origin, housing status, disability, the
10 presence of one or more minor children, income, or because of the receipt of
11 public assistance, or because a person is a victim of abuse, sexual assault, or
12 stalking, except as otherwise provided by law.

13 * * *

14 Sec. 4e. 10 V.S.A. § 601 is amended to read:

15 § 601. DEFINITIONS

16 The following words and terms, unless the context clearly indicates a
17 different meaning, shall have the following meaning:

18 * * *

19 (11) “Persons and families of low and moderate income” means persons
20 and families irrespective of race, creed, national origin, sex, sexual orientation,
21 housing status, or gender identity deemed by the Agency to require such

1 assistance as is made available by this chapter on account of insufficient
2 personal or family income, taking into consideration, without limitation, such
3 factors as:

4 (A) the amount of the total income of such persons and families
5 available for housing needs;

6 * * *

7 (20) "Housing status" means the actual or perceived status of being
8 homeless, being a homeless individual, or being a homeless person, as defined
9 in 42 U.S.C. § 11302.

10 Sec. 4f. 21 V.S.A. § 495 is amended to read:

11 § 495. UNLAWFUL EMPLOYMENT PRACTICE

12 (a) It shall be unlawful employment practice, except where a bona fide
13 occupational qualification requires persons of a particular race, color, religion,
14 national origin, housing status, sex, sexual orientation, gender identity,
15 ancestry, place of birth, age, crime victim status, or physical or mental
16 condition:

17 (1) For any employer, employment agency, or labor organization to
18 discriminate against any individual because of race, color, religion, ancestry,
19 national origin, sex, sexual orientation, gender identity, place of birth, housing
20 status, crime victim status, or age or against a qualified individual with a
21 disability;

1 (2) For any person seeking employees or for any employment agency or
2 labor organization to cause to be printed, published, or circulated any notice or
3 advertisement relating to employment or membership indicating any
4 preference, limitation, specification, or discrimination based upon race, color,
5 religion, ancestry, national origin, sex, sexual orientation, gender identity,
6 place of birth, housing status, crime victim status, age, or disability;

7 (3) For any employment agency to fail or refuse to classify properly or
8 refer for employment or to otherwise discriminate against any individual
9 because of race, color, religion, ancestry, national origin, sex, sexual
10 orientation, gender identity, place of birth, housing status, crime victim status,
11 or age or against a qualified individual with a disability;

12 (4) For any labor organization, because of race, color, religion, ancestry,
13 national origin, sex, sexual orientation, gender identity, place of birth, housing
14 status, crime victim status, or age to discriminate against any individual or
15 against a qualified individual with a disability or to limit, segregate, or qualify
16 its membership;

17 * * *

18 Sec. 4g. 21 V.S.A. § 495d is amended to read:

19 § 495d. DEFINITIONS

20 As used in this subchapter:

21 * * *

1 (16) “Housing status” means the actual or perceived status of being
2 homeless, being a homeless individual, or being a homeless person, as defined
3 in 42 U.S.C. § 11302.

4 * * * First-Generation Homebuyer Incentives * * *

5 Sec. 5. FIRST-GENERATION HOMEBUYER INCENTIVE PROGRAM;
6 APPROPRIATION

7 Of the amounts available from federal COVID-19 relief funds, the amount
8 of \$5,000,000.00 is appropriated to the Department of Housing and
9 Community Development, which shall work in coordination with the Vermont
10 Housing Finance Agency and relevant stakeholders to design and implement a
11 program to provide grants of not more than \$10,000.00 for purchase and
12 closing costs to first-generation homebuyers.

13 * * * Manufactured Home Relocation Incentives * * *

14 Sec. 6. MANUFACTURED HOME RELOCATION INCENTIVE
15 PROGRAM; APPROPRIATION

16 Of the amounts available from federal COVID-19 relief funds, the amount
17 of \$5,000,000.00 is appropriated to the Department of Housing and
18 Community Development, which shall work in coordination with the Vermont
19 Housing and Conservation Board and relevant stakeholders to design and
20 implement a program to provide funding for the following purposes:

1 (1) to create a competitive pool of grant funding to assist with the cost
2 of removing abandoned homes, building concrete pads to new HUD standards,
3 and addressing smaller scale capital needs for those parks where limited
4 operating revenue cannot reasonably cover those costs;

5 (2) to create a competitive pool of grant funding available for
6 rehabilitating some of the roughly 300 to 400 poor quality homes located
7 within the overall State portfolio, of which more than 100 may be at risk of
8 abandonment, and the remainder of which still represent substandard housing
9 for residents and increase the marketing challenges for these parks as a whole;

10 (3) to continue to provide leadership in advocating for financing
11 programs to assist buyers to finance and upgrade units such as Champlain
12 Housing Trust's down payment assistance program;

13 (4) to work with the Agency of Commerce and Community
14 Development, the affordable park owners, and other stakeholders to reframe
15 the image of mobile homes as an affordable option in a more innovative and
16 positive light, especially for younger buyers;

17 (5) to provide mobile home repair grants for common needed home
18 repairs in Vermont, which range from \$100.00 to \$14,000.00, with an
19 estimated average repair value required for sustainable resident health at
20 \$7,000.00.

21 (6) to address existing program gaps, including:

1 (A) bringing existing homes into ADA compliance by modifying
2 entryways and bathrooms;

3 (B) providing funding to augment the Vermont Center for
4 Independent Living Home Accessibility Program, which currently requires a
5 resident match, for Vermonters with low income; and

6 (C) creating opportunity for residents to electively move their
7 structurally stable homes out of floodplains and potentially hazardous locations
8 exacerbated by climate change and erosion, for which roughly 356 vacant lots
9 across the State could be assessed as safe and used for relocation;

10 (7) to provide funds to supplement Flood Resilient Community Funds,
11 which provides grant for home buyouts in flood plains, not for support and
12 relocation services, including costs associated with slab pouring and other
13 infrastructure setup for a new lot that is not directly tied to water infrastructure;

14 (8) to provide funding for down payment assistance and the purchase of
15 new or used high energy efficient mobile homes to replace aging and
16 dilapidated mobile homes; and

17 (9) to improve the public image and well-being of parks by providing
18 financial assistance to parks for:

19 (A) placement of slabs and skirts;

20 (B) removal of derelict and abandoned homes, hazardous waste, and
21 pests;

1 (C) beautification of parks through gardening support and tree and
2 orchard plantings;

3 (D) creation of public space for families and children; and

4 (E) repair and maintenance of roads.

5 * * * Large Employer Housing Partnership * * *

6 Sec. 7. LARGE EMPLOYER HOUSING PARTNERSHIP PROGRAM;

7 APPROPRIATION

8 Of the amounts available from federal COVID-19 relief funds, the amount
9 of \$5,000,000.00 is appropriated to the Department of Housing and
10 Community Development to design and implement a program to provide
11 matching funds of not more than \$5,000.00 per employee for the costs an
12 employer with 25 or more employees incurs to provide housing for its
13 workforce.

14 * * * Conversion of Commercial Properties to Residential Use * * *

15 Sec. 8. COMMERCIAL PROPERTY CONVERSION INCENTIVE

16 PROGRAM; APPROPRIATION

17 Of the amounts available from federal COVID-19 relief funds, the amount
18 of \$5,000,000.00 is appropriated to the Department of Housing and
19 Community Development, which shall work in coordination with the regional
20 development corporations, regional planning commissions, chambers of
21 commerce, and other relevant stakeholders to design and implement a program

1 to identify commercial properties that may be efficiently converted to
2 residential use and to provide grants of not more than \$50,000.00 per project
3 for the purchase, rehabilitation, and conversion of such properties.

4 * * * New American Housing Support Services * * *

5 Sec. 9. NEW AMERICAN HOUSING SUPPORT SERVICES;

6 APPROPRIATION

7 Of the amounts available from federal COVID-19 relief funds, the amount
8 of \$5,000,000.00 is appropriated to the Department of Housing and
9 Community Development to contract with one or more entities to provide
10 financial support services, translation services, legal and technical services,
11 and other housing-related services to Vermonters who are New Americans.

12 * * * TIF Extension * * *

13 Sec. 10. TAX INCREMENT FINANCING DISTRICTS; RETENTION OF

14 INCREMENT; DEBT INCURRENCE; EXTENSIONS

15 (a) Notwithstanding any other provision of law, each municipality with an
16 active tax increment financing district that has received approval from the
17 Vermont Economic Progress Council shall be granted a three-year extension to
18 their district's period to retain municipal and education property tax increment.

19 (b) Notwithstanding any other provision of law, the following
20 municipalities shall be granted a three-year extension to their district's period
21 to incur debt:

