

H.315

An act relating to COVID-19 relief

* * * Commerce and Community Development; Targeted Business Grants * * *

Sec. 1. GAP ECONOMIC RECOVERY GRANTS; FISCAL YEAR 2021

ONE-TIME APPROPRIATION

(a) Appropriation.

(1) In fiscal year 2021, the amount of \$10,000,000.00 is appropriated from the General Fund to the Agency of Commerce and Community Development to provide gap economic recovery grants to eligible businesses pursuant to this act.

(2) The Agency may use not more than five percent of the appropriated funds for the costs of administration, including technical assistance and guidance concerning potential eligibility for federal programs.

(b) Eligibility. To be eligible for a grant, a business shall meet the following criteria:

(1) The business is domiciled or has its primary place of business in Vermont.

(2) The business is organized and operated:

(A) on a for-profit basis, including a sole proprietor, partnership, limited liability company, business corporation, cooperative, or mutual benefit enterprise; or

(B) on a nonprofit or low-profit basis, including a mutual benefit corporation, public benefit corporation, and a low-profit limited liability company.

(3) The business is:

(A) open for business at the time of application; or

(B) closed for business due to the COVID-19 public health emergency but has a good-faith plan for reopening.

(4) The business suffered an economic loss due to the COVID-19 public health emergency.

(5) At the time the business submits its application to the Agency, the business demonstrates that:

(A) the business has applied for the forgivable loans and grants made available through the Paycheck Protection Program, the Economic Injury Disaster Relief Advance program, or other COVID-19-related business financial assistance programs created by, or as modified by, the Consolidated Appropriations Act of 2021, P.L. 116-260, but was denied assistance because the business does not meet the eligibility criteria for any program; or

(B) the business has not applied for any such assistance based on a determination by a financial institution or other participating lender, an attorney, an accountant, or another qualified financial professional that the

business is not eligible for such assistance because the business does not meet the eligibility criteria for any program.

(6) The business is in compliance with current State health and safety protocols established by Executive Order.

(c) Amount of grant. A grant shall not exceed the lesser of:

(1) three times the eligible business's fixed monthly expenses for commercial mortgage or rent, insurance, electricity, heat, water, sewer service, telecommunications service, and Internet service; or

(2) \$150,000.00.

(d) Grant administration; priorities.

(1) Beginning on the date the Agency begins accepting applications, for an initial 30-day period, the Agency may accept applications from eligible businesses but shall award grants only to eligible businesses that have not received any COVID-19-related assistance from State or federal sources.

(2) After the initial 30-day period, the Agency shall continue to accept applications and award grants consistent with the following:

(A) The Agency shall give first priority to eligible businesses that have not received any COVID-19-related assistance from State or federal sources.

(B) The Agency may exercise its discretion to give subsequent priority to eligible businesses based on whether and the extent to which an eligible business:

(i) was unable to operate because of the Governor's declared state of emergency;

(ii) suffered an operating loss;

(iii) has received State or federal grants or forgivable loans;

(iv) will use funds to reopen or modify its operations to remain open;

(v) will use funds to cover fixed operating expenses until the Governor's declared state of emergency is lifted; and

(vi) is the primary source of income for a household.

(e) Guidelines. Not later than 10 days after the effective date of this act, the Agency shall publish guidelines governing the implementation of the program, which at minimum shall:

(1) establish application and award procedures;

(2) establish standards to determine whether an eligible business has its primary place of business in Vermont;

(3) establish standards for the use of grant funds;

(4) establish procedures to ensure that grant awards comply with the requirements of this section and that the State maintains adequate records to demonstrate compliance with this section;

(5) establish procedures to prevent, detect, and mitigate fraud, waste, error, and abuse; and

(6) establish procedures to ensure that grant applicants comply with State and federal employment and labor laws.

(f) Reporting. The Agency shall submit two reports to the House Committees on Appropriations and on Commerce and Economic Development and the Senate Committees on Appropriations and on Economic Development, Housing and General Affairs detailing the implementation of this section, including specific information concerning the amount, identity, and demographic information of grant recipients, which shall be publicly available:

(1) an initial report following the 30-day approval period specified in subdivision (d)(1) of this section; and

(2) a final report not later than 30 days after program funds are exhausted.

* * * Housing * * *

Sec. 2. CORONAVIRUS RELIEF FUND; VERMONT HOUSING AND
CONSERVATION BOARD, HOUSING AND FACILITIES

The sum of \$10,000,000.00 of Coronavirus Relief Funds is appropriated to the Vermont Housing and Conservation Board in fiscal year 2021, 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. Upon expenditure of the funds, the Vermont Housing and Conservation Board shall report to the House and Senate Committees on Appropriations on the specific uses of the funds appropriated in this section.

* * * Human Services, Mental Health and Health Care * * *

Sec. 3. DEPARTMENT OF MENTAL HEALTH; EMERGENCY

OUTREACH SERVICES GRANTS

The sum of \$300,000.00 is appropriated from the General Fund to the Department of Mental Health in fiscal year 2021 for grants to peer-led and impacted member-led organizations for emergency outreach services to address COVID-19-related needs. Of these funds, the Department shall allocate \$150,000.00 to a mental health peer-support organization and \$150,000.00 to an organization supporting the needs of LGBTQ youths.

Sec. 4. DEPARTMENT OF MENTAL HEALTH; HOUSING SUPPORTS

The sum of \$4,000,000.00 is appropriated from the General Fund to the Department of Mental Health in fiscal year 2021 for grants to Vermont Care Partners and other stakeholder organizations to provide housing supports in community settings. The Department shall select the projects in consultation with representatives of the designated agencies, specialized service agencies, and peer organizations. The grants shall be awarded to organizations that demonstrate the greatest ability to respond immediately to the need for housing supports and shall be for projects that will not require additional State funds for operating costs in future years or that can redirect current expenditures, or both. To the greatest extent possible, grants shall be awarded for projects in underserved areas of the State. At least one grant shall be awarded to a peer-run or peer-directed housing organization. In addition, the Department, in consultation with the designated agencies, specialized service agencies, and peer organizations, shall give priority to proposed projects that meet one or more of the following criteria:

(1) create movement within the current system of care, such as those that would move individuals out of hospitals and other restrictive settings and back into a community setting;

(2) focus on equity and on providing patient-centered care; and

(3) employ or build on successful, evidence-based models of supportive housing.

Sec. 5. DEPARTMENT OF MENTAL HEALTH; DESIGNATED AND
SPECIALIZED SERVICE AGENCIES; CASE MANAGEMENT
SERVICES

The sum of \$850,000.00 is appropriated from the General Fund to the Department of Mental Health in fiscal year 2021 to provide funds to the designated and specialized service agencies to enable them each to hire an additional case manager to provide case management services to Vermont residents who may not previously have been part of an agency's caseload but whose lives have been significantly disrupted by the COVID-19 pandemic and who are now urgently in need of these agencies' supports.

Sec. 6. DEPARTMENT OF MENTAL HEALTH; WORKFORCE
TRAINING AND WELLNESS SUPPORTS

The sum of \$150,000.00 is appropriated from the General Fund to the Department of Mental Health in fiscal year 2021 for training and wellness supports for frontline health care workers to help them meet Vermont residents' current mental health needs, such as training for emergency department personnel responding to an increased demand for crisis services as a result of the COVID-19 pandemic and training on trauma-informed and trauma-specific care for mental health professionals responding to the surge in

mental health treatment needs. These workers would also benefit from wellness supports as they continue to care for people in crisis while experiencing their own stress, anxiety, and trauma as a result of the pandemic.

Sec. 7. DEPARTMENT OF MENTAL HEALTH; USE OF FUNDS;

REPORT

On or before January 15, 2022, the Department of Mental Health shall report to the House Committees on Health Care and on Appropriations and the Senate Committees on Health and Welfare and on Appropriations with a summary of the use of the funds appropriated in Secs. 3–6 of this Act, including the amounts distributed or expended under each section, to whom the funds were distributed, and how the funds were used by each recipient or by the Department, as applicable.

Sec. 8. SUPPORTS FOR NEW AMERICANS, REFUGEES, AND

IMMIGRANTS

(a) The sum of \$700,000.00 is appropriated from the Coronavirus Relief Fund to the Agency of Human Services in fiscal year 2021 for distribution in equal amounts to the Association of Africans Living in Vermont and the U.S. Committee for Refugees and Immigrants' Vermont Refugee Resettlement Program for various purposes related to COVID-19, including:

(1) interpretation and translation services related to COVID-19, including accessing testing and vaccines;

(2) purchasing laptops and providing digital literacy for households to ensure that children can attend school remotely, that families can access telehealth services, and that adult family members can find employment;

(3) providing case management services related to an increased need related to housing assistance, workforce development, and employment coaching; and

(4) providing navigation of Reach Up, 3SquaresVT, and other public assistance programs following job losses.

(b) Upon expenditure of the funds, the Agency of Human Services shall report to the House and Senate Committees on Appropriations on the specific uses of the funds appropriated in subsection (a) of this section.

Sec. 9. GRANTS TO REACH UP PARTICIPANTS

The sum of \$376,000.00 is appropriated from the General Fund and \$924,000.00 from the Coronavirus Relief Fund to the Department for Children and Families in fiscal year 2021 for the purposes of distributing monies to families participating in the Reach Up program. These funds shall be distributed in a manner similar to the distribution funds made to the population under 2020 Acts and Resolves No. 136, Sec. 15.

Sec. 10. VERMONT FOOD BANK

The sum of \$1,376,000.00 is appropriated from the Coronavirus Relief Fund in fiscal year 2021 to the Agency of Human Services' central office to be

granted to the Vermont food bank to pay the costs of the Vermont Farmers to Families Food Box Program for the months of January and February 2021.

Sec. 11. ASSOCIATION FOR THE BLIND AND VISUALLY IMPAIRED

The sum of \$100,000.00 is appropriated from the General Fund to the Department of Disabilities, Aging, and Independent Living (DAIL) in fiscal year 2021 to be granted to the Vermont Association for the Blind and Visually Impaired for a technology training program for older Vermonters who experience decreased vision and blindness and others who are blind or visually impaired to address social isolation resulting from social distancing.

Sec. 12. GREEN MOUNTAIN CARE BOARD; DEPARTMENT OF

HEALTH; HEALTH CARE DISPARITIES; DATA COLLECTION
AND ANALYSIS

(a) The sum of \$66,000.00 is appropriated from the General Fund to the Green Mountain Care Board in fiscal year 2021 to provide the State share pursuant to 18 V.S.A. § 9374(h) for updates to the Vermont Healthcare Claims Uniform Reporting and Evaluation System (VHCURES) to improve data collection related to health equity.

(b) The sum of \$134,000.00 is appropriated from the General Fund to the Department of Health in fiscal year 2021 for collection and analysis of demographic data, including race and ethnicity data, regarding Vermont residents who experience health disparities.

(c) Upon expenditure of the funds, the Green Mountain Care Board shall report to the House and Senate Appropriations Committee on the specific uses of the funds appropriated in subsections (a) and (b) of this section.

* * * Education * * *

Sec. 13. SCHOOL INDOOR AIR QUALITY GRANT PROGRAM;

REALLOCATION

(a) Reallocation. In fiscal year 2021, \$15,000,000.00 in unexpended funds from the amount appropriated to the Agency of Education in 2020 Acts and Resolves No. 120, Sec. A.50, as amended by 2020 Acts and Resolves No. 154, Sec. B.1112, for Pre-K–12 Education Pandemic Costs shall be reallocated to the School Indoor Air Quality Grant Program established in 2020 Acts and Resolves No. 120, Sec. A.51.

(b) Authorization. Efficiency Vermont shall require that any school that receives a grant through the School Indoor Air Quality Grant Program established in 2020 Acts and Resolves No. 120, Sec. A.51 authorize Efficiency Vermont to release the school name and grant amount in any report requested by the General Assembly.

(c) Reporting. Upon expenditure of the funds, the Agency of Education shall report to the House and Senate Committees on Appropriations on the specific uses of the funds appropriated in subsection (a) of this section.

Sec. 14. PENSION AND OTHER POSTEMPLOYMENT BENEFIT

OBLIGATIONS; VERMONT STATE EMPLOYEES'
RETIREMENT SYSTEM; VERMONT STATE TEACHERS'
RETIREMENT SYSTEM; RESERVATION OF FUNDS; LONG-
TERM PLAN

(a) In fiscal year 2021, the amount of \$20,000,000.00 in General Funds is hereby reserved to be part of pension funding initiatives and prefunding of other postemployment benefits (OPEB).

(b) On or before May 30, 2021, the General Assembly and the Administration, in collaboration with the Treasurer and interested parties, shall develop a long-term plan to address pension and OPEB liabilities. The funds reserved above in subsection (a) are available for an appropriation as part of this long-term funding initiative.

* * * Public Service; Broadband * * *

Sec. 15. LINE EXTENSION FUNDING; CONNECTED COMMUNITY

RESILIENCY PLANNING PROGRAM; AND
COMMUNICATIONS UNION DISTRICTS (CUD)
BROADBAND INFRASTRUCTURE PROGRAM

(a) It is the intent of the General Assembly that \$1,000,000.00 be allocated for additional financial assistance under the COVID-Response Line Extension Customer Assistance Program established in 2020 Acts and Resolves No. 137,

Sec. 13 and \$1,200,000.00 for the Connected Community Resiliency Planning Program and the CUD Broadband Infrastructure Program.

(b) To accomplish the purpose of this section and notwithstanding any other provision of law to the contrary, the Department of Public Service is authorized to use \$2,200,000.00 of the unobligated balance remaining from the Coronavirus Relief Funds appropriated to the Department for broadband programs in Act No. 137.

* * * Natural Resources and Agriculture * * *

Sec. 16. GENERAL FUND; NATURAL RESOURCES AND

AGRICULTURE

In fiscal year 2021, funds are appropriated from the General Fund as follows:

(1) \$3,000,000.00 to the Agency of Agriculture, Food and Markets for the Working Lands Program.

(2) \$10,000,000.00 to the Agency of Natural Resources (ANR) for the following:

(A) \$5,000,000.00 to the Department of Forests, Parks and Recreation for the Vermont Outdoor Recreation Economic Collaborative (VOREC).

(B) \$5,000,000.00 to the Vermont Agency of Natural Resources' central office for investments to improve recreational infrastructure and access

on State lands and to fund repairs and improvements to Vermont's trail network on both private and public land.

(3) Upon expenditure of the funds, the Agency of Natural Resources shall report to the House and Senate Committees on Appropriations on the specific uses of the funds appropriated in subdivision (2) of this section.

* * * Taxation; Annual Link to Federal Statutes * * *

Sec. 17. 32 V.S.A. § 5824 is amended to read:

§ 5824. ADOPTION OF FEDERAL INCOME TAX LAWS

The statutes of the United States relating to the federal income tax, as in effect on December 31, ~~2019~~ 2020, but without regard to federal income tax rates under 26 U.S.C. § 1, are hereby adopted for the purpose of computing the tax liability under this chapter.

Sec. 18. 32 V.S.A. § 7402(8) is amended to read:

(8) "Laws of the United States" means the U.S. Internal Revenue Code of 1986, as amended through December 31, ~~2019~~ 2020. As used in this chapter, "Internal Revenue Code" has the same meaning as "laws of the United States" as defined in this subdivision.

* * * Effective Dates * * *

Sec. 19. EFFECTIVE DATES

This act shall take effect on passage, except that, notwithstanding 1 V.S.A. § 214, Secs. 17 and 18 (annual link to federal statutes) shall take effect

retroactively on January 1, 2021 and apply to taxable years beginning on and
after January 1, 2020.