

Sec. B.1121.3 DELEGATION OF ADMINISTRATIVE
RESPONSIBILITIES

Notwithstanding any provision of 2020 Acts and Resolves No. 136, Sec. 6 to the contrary, the Secretary of Human Services may, with the approval of the Secretary of Administration, delegate administration of specific aspects of the Front-Line Employees Hazard Pay Grant Program to other agencies and departments of the State.

* * * Economic Stimulus Equity Program * * *

Sec. B.1122 VERMONT CORONAVIRUS ECONOMIC STIMULUS
EQUITY PROGRAM

(a) Definitions. As used in this section:

(1) “CARES Act” means the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Pub. L. No. 116–136.

(2) “Economic Impact Payment” means a recovery rebate for individuals authorized under section 2201 of the CARES Act as codified in 26 U.S.C. § 6428.

(3) “Eligible adult” means any individual who is a current resident of Vermont, was a resident of Vermont on April 1, 2020, and was ineligible to receive an economic impact payment under the CARES Act due to immigration status.

(4) “Eligible child” means an individual under 17 years of age for whom an eligible adult is a parent or guardian.

(5) “Personally identifiable information” means an individual’s:

(A) name;

(B) address;

(C) date of birth;

(D) place of birth;

(E) immigration status;

(F) unique biometric data generated from measurements or technical analysis of human body characteristics used to identify or authenticate the individual, such as a fingerprint, retina or iris image, or other unique physical representation or digital representation of biometric data;

(G) name or address of a member of the individual’s immediate family or household;

(H) Social Security number or other government-issued identification number; or

(I) other information that, either alone or in combination with the information listed in subdivisions (A)–(H) of this subdivision (5), would allow a reasonable person to identify the individual with reasonable certainty.

(6) “Resident of Vermont” means any individual living in Vermont who intends to make the State his or her principal place of domicile either permanently or for an indefinite number of years. Individuals who live in the State for a particular purpose involving a defined period of time, including students, migrant workers employed in seasonal occupations, and individuals

employed under a contract with a fixed term, are not residents for purposes of this section.

(b) Establishment of Program; eligibility; maximum award.

(1) On or before November 15, 2020, the Agency of Administration shall establish the Vermont Coronavirus Economic Stimulus Equity Program to award direct relief grant payments to eligible adults and eligible children.

(2) In order to receive payment under the Program, an eligible adult shall certify that he or she:

(A) is a resident of Vermont;

(B) was ineligible to receive an economic impact payment under the CARES Act due to reasons of immigration status; and

(C) had an adjusted gross income of less than \$99,000.00 in taxable year 2019 or, if filing jointly, an adjusted gross income of less than \$198,000.00 in taxable year 2019.

(3) Each eligible adult shall receive \$1,200.00 and \$500.00 for each eligible child, provided that an eligible adult shall not receive an award for an eligible child if another applicant received an award for that child.

(4) Each award issued under this section shall be issued as a direct payment from the State of Vermont.

(5) All applications for a payment under this section shall be submitted on or before March 1, 2021.

(c) Administration of Program.

(1) The Program shall be administered by the Agency of Administration in consultation with the Executive Director of Racial Equity and the Agency of Human Services. The Agency of Administration may partner with public or private entities to conduct outreach, provide application assistance, process grant applications, or deliver assistance payments to eligible individuals.

(2) The Agency shall adopt requirements, guidelines, or procedures as necessary to implement and administer the Program. When the Agency adopts requirements, guidelines, or procedure under this subdivision, it shall consider how to disperse payments to applicants who lack banking services or a mailing address to which a payment may be sent. The Agency shall not be required to initiate rulemaking pursuant to 3 V.S.A. § 831(c) in relation to any requirement, guideline, or procedure that is adopted or issued in relation to the Program.

(3) The Agency may utilize staff and resources from any State agency or department as necessary to administer the Program and may partner with any nongovernmental entity to promote or implement the Program.

(d) Contract for implementation. Notwithstanding any provision of law to the contrary, the Agency may enter into contracts, as deemed necessary, with any nongovernmental entity to implement and administer the Program without the need to competitively bid such contracts. 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 sole source contracts pursuant to Bulletin 3.5, the State's Procurement and Contracting Procedures.

(e) Confidentiality; personally identifiable information. All personally identifiable information that is collected by the Agency through implementation of the Program by any entity of State government performing a function of the Program or by any entity that the Agency contracts with to perform a function of the Program shall be kept confidential and shall be exempt from inspection and copying under the Public Records Act.

(f) Protection of personally identifiable information. The Agency shall ensure that any entity of State government performing a function of the Program or any entity that the Agency contracts with to perform a function of the Program:

(1) implements appropriate procedures and safeguards to protect any personally identifiable information that it obtains in relation to the Program;

(2) shall not disclose an individual's personally identifiable information to another State entity or contractor performing a function of the Program unless that disclosure is necessary for the administration of the Program;

(3) complies with the prohibition on disclosure of personally identifiable information under 20 V.S.A. § 4651; and

(4) complies with all applicable requirements of 9 V.S.A. chapter 62.

(g) Reports.

(1) The Secretary of Administration shall report to the Joint Fiscal Committee at the November meeting of the Committee regarding how the Agency of Administration or its contractors will make payments under the Program, including how payments shall be dispersed to applicants who lack banking services or a mailing address to which a payment may be sent.

(2) On or before April 30, 2021, the Secretary of Administration shall report to the House Committee on Appropriations and the Senate Committee on Appropriations regarding the implementation and administration of the Vermont Coronavirus Economic Stimulus Equity Program. The report shall include:

(A) a summary of the payments awarded under the Program, including the amount of payments awarded;

(B) any challenges encountered by the Agency or contractors in the implementation and administration of the Program; and

(C) a summary of the results or success of the Program.

Sec. B.1123 APPROPRIATION; VERMONT CORONAVIRUS ECONOMIC
STIMULUS EQUITY PROGRAM; REVERSION

(a) The amount of \$5,000,000 is appropriated from General Fund in fiscal year 2021 to the Agency of Administration for the administration and payment of grants pursuant to the Vermont Coronavirus Economic Stimulus Equity Program. Up to \$50,000.00 of the funds available under this section may be allocated for the administration of the Program.

(b) In fiscal year 2021 \$3,000,000 is unreserved from the Human Services Caseload Reserve established in 32 V.S.A. § 308b. To the extent that funds appropriated in this section have not been awarded on or before June 30, 2021, the remaining appropriation shall be reverted and reserved in the Human Services Caseload Reserve established in 32 V.S.A. § 308b. The Commissioner of Finance and Management shall report to the Joint Fiscal Committee in July 2021 on any funds reverted and reserved under this subsection.

Sec. B.1123.1 FISCAL YEAR 2021 YEAR-END CLOSEOUT TRANSFERS

(a) At the close of fiscal year 2021, after the application of the provisions of 32 V.S.A. § 308(b), and before the application of 32 V.S.A. § 308(c) up to \$5,000,000 of any remaining unreserved and undesignated end of fiscal year 2021 General Fund surplus shall be allocated as follows:

(1) First, up to \$3,000,000 in funds, as necessary shall be reserved in the Human Services Caseload Reserve established in 32 V.S.A. § 308b to offset funds unreserved and not reverted and reserved in accordance with Sec. B.1123 (b) of this act; and

(2) Second, up to \$2,000,000 shall be transferred for deposit in the Tobacco Settlement Fund established in 32 V.S.A § 435a to offset future deficits and to be available for appropriation in fiscal year 2022.