

H.273: An act relating to promoting racial and social equity in land access and property ownership

Representative Brian Cina

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Legislative Intent

Equal opportunity is a fundamental principle of American democracy. However structural racism, defined as the laws, policies, institutional practices, cultural representations, and other societal norms that work together to deny equal opportunity, structural racism has resulted in wealth disparities among Vermonters. Wealth disparities are a function of not only access to income, but also the ability to have access to the land and to property ownership. The foundation of our current economic system was built on land that was taken from Abenaki and other Indigenous persons, and the structures of our economic system were constructed with the labor of enslaved persons. The legacy of settler colonialism and chattel slavery has been systemic racism and discrimination embedded into many aspects of our modern way of life on this land. The relationship between all persons and the land has been used to oppress persons over the past several centuries. The laws and policies of our State and nation severed Indigenous persons from their land while denying them, Black persons, and other Persons of Color from having the opportunity to access and to own land.

Legislative Intent

In order to offer repair for the systemic discrimination faced by many persons throughout the State over the past four centuries, the State of Vermont must engage in a just transition to an economic system that systemically undoes racism instead of reinforcing it. Efforts to remedy wealth disparity in the United States have traditionally looked to the free market economy for solutions to the very problem that it has created. However, there has been increased recognition that improving access to land and property ownership will require broader approaches. In order to rectify this history of inequity, we must create opportunities for permanent land access in every town in Vermont through collective and individual land ownership options, using new systems that empower and center Vermonters who have historically suffered from discrimination.

Findings

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Findings

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- Vermont Housing Finance Agency; and the U.S. Census Bureau 2018 5 year ACS Table S1903

Purpose

The purpose of this act is to **invest in individual and collective land access and property ownership as a way to move towards greater racial and social equity in wealth distribution.**

The act creates a **Vermont Land Access and Opportunity Fund** in the State Treasury, consisting of money appropriated by the General Assembly and any other funds provided by public or private sources, that is administered by the **Vermont Land Access and Opportunity Board.**

Vermont Land Access and Opportunity Board

- (1) the Executive Director of Racial Equity or designee;
- (2) three members appointed by the Vermont Commission on Native American Affairs, at least two of whom are Abenaki;
- (3) two members appointed by the Vermont NAACP;
- (4) a member appointed by the Vermont Racial Justice Alliance;
- (5) a member appointed by the Vermont Releaf Collective;
- (6) a member appointed by the Vermont Every Town project;
- (7) a member with financial expertise appointed by the Secretary of Commerce and Community Development;
- (8) a member with real estate expertise appointed by the Commissioner of Housing and Community Development;
- (9) a member with farming expertise appointed by the Secretary of Agriculture, Food and Markets;
- (10) a social worker with expertise in anti-racism appointed by the National Association of Social Workers, Vermont Chapter;
- (11) two members appointed by the Pride Center of Vermont who are LGBTQ.

Powers and Duties

- (1) The Board shall award grants for the purchase of a primary residence.
- (2) The Board shall award grants for the purchase of a farm property or land deemed suitable for regenerative practices.
- (3) The Board shall award grants for land access and stewardship programs.
- (4) The Board shall award funding to new and existing financial education, wealth management, and regenerative natural resource programs led by and focused on Vermonters who have historically suffered from discrimination and who have not had equal access to public or private economic benefits due to race, ethnicity, sex, geography, language preference, immigrant or citizen status, sexual orientation, gender identity, socioeconomic status, or disability status.
- (5) The Board shall: (A) retain wealth, financial, and natural resource advisors who are Vermonters who have historically suffered from discrimination and who have not had equal access to public or private economic benefits due to race, ethnicity, sex, geography, language preference, immigrant or citizen status, sexual orientation, gender identity, socioeconomic status, or disability status; and (B) use the services of those advisors to provide and create education, wealth management, and regenerative natural resources services to grant recipients.

Powers and Duties

- (6) The Board shall award grants to anti-racist mutual aid networks that support recipients of grants awarded pursuant to subdivisions (1)–(2) of this subsection.
- (7) The Board shall award grants to groups proposing to share land, to create commons, and for collective ownership.
- (8) The Board shall grant funds to the Every Town Project to purchase and hold land in trust in every municipality in Vermont in order to promote land access and stewardship by Vermonters who have historically suffered from discrimination and who have not had equal access to public or private economic benefits due to race, ethnicity, sex, geography, language preference, immigrant or citizen status, sexual orientation, gender identity, socioeconomic status, or disability status.
- (9) The Board shall work with the Vermont Housing Finance Agency to explore ways to apply grants to mortgage subsidies and explore ways to overcome the barriers to obtaining a mortgage, including debt-to-income ratios, redlining, and the impact of algorithmic systems of decision making.
- (10) The Board shall work with the Vermont Department of Taxes to explore ways to provide tax breaks to properties attached to the grants.

Eligibility and Appropriation

(1) The Board shall have the **authority to adopt rules concerning eligibility criteria for recipients and rules for the use of grant funds**, which shall include income guidelines, limits on the amount of grants, and rules governing the transfer of grant-funded properties, generational poverty, inheritance, and impact of any other assistance already received.

(2) The Board shall allocate grants to achieve a **balanced, healthy mix of private ownership and collective ownership**.

Proposed Appropriation: **\$10,000,000.00**

Effective Date: **July 1, 2021**