

City of Burlington's proposed Amendment in response to April 21, 2021 proposal to Senate Committee on Finance re audit timeline for Burlington Waterfront TIF District

- submitted to Senate Committee on Finance on May 5, 2021

32 V.S.A. §5404a (1)(1) is amended to read:

§5404a. Tax stabilization agreements; tax increment financing districts

(1) The State Auditor of Accounts shall conduct performance audits of all tax increment financing districts according to a schedule, which will be arrived at in consultation with the Vermont Economic Progress Council. The cost of conducting each audit shall be considered a "related cost" as defined in 24 V.S.A. § 1891(6) and shall be billed back to the municipality. Audits conducted pursuant to this subsection shall include a review of a municipality's adherence to relevant statutes and rules adopted by the Vermont Economic Progress Council pursuant to subsection (j) of this section, an assessment of record keeping related to revenues and expenditures, and a validation of the portion of the tax increment retained by the municipality and used for debt repayment and the portion directed to the Education Fund.

(1) For municipalities with a district created prior to January 1, 2006 and a debt repayment schedule that anticipates retention of education increment beyond fiscal year 2016, an audit shall be conducted when approximately three-quarters of the period for retention of education increment has elapsed, and at the end of that same period, an audit shall be conducted for the final one-quarter period for retention of education increment, except that for the Milton Catamount/Husky district and the Burlington Waterfront district only a final audit shall be conducted to cover the period from the effective date of the rules pursuant to subdivision (j)(1) of this section to the end of the retention period, except, however, if the Burlington Waterfront district has its debt incurrence period extended pursuant to the provisions of 2013 Acts and Resolves No. 80, Section 18 as amended for the three enumerated properties provided therein, an additional audit for the district shall be conducted when the period to retain education increment for the other properties within the waterfront tax increment financing district has concluded (June 30, 2025).

