

H.461

An act relating to excluding the income of asylum seekers and refugees from household income

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

Sec. 1. 32 V.S.A. § 6061(3) is amended to read:

(3)(A) “Household” means, for any individual and for any taxable year, the individual and such other persons as resided with the individual in the principal dwelling at any time during the taxable year.

(B) The following shall not be considered members of the household:

(i) ~~A~~ a person who is not related to any member of the household and who is residing in the household under a written homesharing agreement pursuant to a nonprofit homesharing program;

(ii) a person residing in the household who was granted humanitarian parole to enter the United States pursuant to 8 C.F.R. § 212.5, who is seeking or has been granted asylum pursuant to 8 U.S.C. § 1158, or who qualifies as a refugee pursuant to 8 U.S.C. § 1101(a)(42), provided the person is not eligible or required under the laws of the United States to apply for lawful permanent residency; or

(iii) a person residing in a household who is hired as a bona fide employee to provide personal care to a member of the household and who is

not related to the person for whom the care is provided ~~shall not be considered to be a member of the household.~~

Sec. 2. EFFECTIVE DATE

Notwithstanding 1 V.S.A. § 214, this act shall take effect retroactively on January 1, 2021 and shall apply to determinations of household members for the purpose of declaring household income on and after January 1, 2022.