

1 H.687

2 An act relating to community resilience and biodiversity protection through  
3 land use

4 The House concurs in the Senate proposal of amendment with further  
5 proposal of amendment thereto as follows:

6 First: By adding a Sec. 1a to read as follows:

7 Sec. 1a. PURPOSE

8 The purpose of this act is to further assist the State in achieving the  
9 conservation vision and goals for the State established in 10 V.S.A. § 2802 and  
10 24 V.S.A. § 4302. It provides a regulatory framework that supports the vision  
11 for Vermont of human and natural community resilience and biodiversity  
12 protection in the face of climate change, as described in 2023 Acts and  
13 Resolves No. 59. It would strengthen the administration of the Act 250  
14 program by changing the structure, function, and name of the Natural  
15 Resources Board. The program updates established in this act would be used  
16 to guide State financial investment in human and natural infrastructure.

17 Second: In Sec. 3, 10 V.S.A. § 6032, in subsection (b), by striking out  
18 “July 31”and inserting in lieu thereof “June 30”

19 Third: In Sec. 8, 10 V.S.A. § 6086(h), in the second sentence, by striking  
20 out “and shall be notarized”

1        Fourth: In Sec. 11, Land Use Review Board appointments; revision  
2 authority, by striking out subsection (a) in its entirety and inserting in lieu  
3 thereof a new subsection (a) to read as follows:

4        (a) The Governor shall appoint the members of the Land Use Review  
5 Board on or before January 1, 2025, and the terms of any Natural Resources  
6 Board member not appointed consistent with the requirements of 10 V.S.A.  
7 § 6021(a)(1)(A) or (B) shall expire on that day.

8        Fifth: In Sec. 11, Land Use Review Board appointments; revision  
9 authority, in subsection (b), by striking out “July” and inserting in lieu thereof  
10 of “January”

11        Sixth: In Sec. 19, 10 V.S.A. § 6001(3)(A)(xii), in subdivision (II), after the  
12 first sentence by inserting “Routine maintenance and minor repairs of a Class 4  
13 highway shall not constitute an “improvement.” Routine maintenance shall  
14 include replacing a culvert or ditch, applying new stone, grading, or making  
15 repairs after adverse weather. Routine maintenance shall not include changing  
16 the size of the road, changing the location or layout of the road, or adding  
17 pavement.”

18        Seventh: In Sec. 19, 10 V.S.A. § 6001(3)(A)(xii), by striking out  
19 subdivision (IV) in its entirety and inserting in lieu thereof a new (IV) to read  
20 as follows:

1                    (IV) This subdivision (xii) shall not apply to:

2                    (aa) a State or municipal road, a utility corridor of an  
3 electric transmission or distribution company, or a road used primarily for  
4 farming or forestry purposes;

5                    (bb) development within a Tier 1A area established in  
6 accordance with section 6034 of this title or a Tier 1B area established in  
7 accordance with section 6033 of this title; and

8                    (cc) improvements underway when this section takes effect  
9 to a Class 4 highway that will be transferred to the municipality.

10        Eighth: In Sec. 22, Tier 3 rulemaking, by striking out subsection (a) in its  
11 entirety and inserting in lieu thereof a new subsection (a) to read as follows:

12        (a) The Land Use Review Board, in consultation with the Secretary of  
13 Natural Resources, shall adopt rules to implement the requirements for the  
14 administration of 10 V.S.A. § 6001(3)(A)(xiii) and 10 V.S.A. § 6001(46) and  
15 (19). It is the intent of the General Assembly that these rules identify critical  
16 natural resources for protection. The Board shall review the definition of Tier  
17 3 area; determine the critical natural resources that shall be included in Tier 3,  
18 giving due consideration to river corridors, headwater streams, habitat  
19 connectors of statewide significance, riparian areas, class A waters, and natural  
20 communities; any additional critical natural resources that should be added to

1 the definition; and how to define the boundaries. Rules adopted by the Board  
2 shall include:

3 (1) any necessary clarifications to how the Tier 3 definition is used in  
4 10 V.S.A. chapter 151, including whether and how subdivisions would be  
5 covered under the jurisdiction of Tier 3;

6 (2) any necessary changes to how 10 V.S.A. § 6001(3)(A)(xiii) should  
7 be administered and when jurisdiction should be triggered to protect the  
8 functions and values of resources of critical natural resources;

9 (3) the process for how Tier 3 areas will be mapped or identified by the  
10 Agency of Natural Resources and the Board;

11 (4) other policies or programs that shall be developed to review  
12 development impacts to Tier 3 areas if they are not included in 10 V.S.A.  
13 § 6001(46); and

14 (5) if a critical natural resource area is not recommended for protection  
15 under Tier 3, it shall be identified in the rule, and a rationale shall be provided  
16 as to why the critical resource was not selected for Tier 3 protection.

17 Ninth: In Sec. 22, Tier 3 rulemaking, in subsection (c) after the first  
18 sentence, by adding:

19 After the Land Use Review Board files the rule with Legislative Committee  
20 on Administrative Rules, it shall submit a report describing the rules and the

1 issues reviewed under this section to the House Committee on Environment  
2 and Energy and the Senate Committee on Natural Resources and Energy.

3 Tenth: By striking out Sec. 24, 10 V.S.A. § 6001(3)(D)(viii)(III), in its  
4 entirety and inserting in lieu thereof a new Sec. 24 to read as follows:

5 Sec. 24. 10 V.S.A. § 6001(3)(D)(viii)(III) is amended to read:

6 (III) Notwithstanding any other provision of law to the  
7 contrary, until ~~July 1, 2026~~ January 1, 2027, the construction of a priority  
8 housing project located entirely within areas of a designated downtown  
9 development district, designated neighborhood development area, or a  
10 designated growth center or within one-half mile around such designated  
11 center with permanent zoning and subdivision bylaws served by public sewer  
12 or water services or soils that are adequate for wastewater disposal. For  
13 purposes of this subdivision (III), in order for a parcel to qualify for the  
14 exemption, at least 51 percent of the parcel shall be located within one-half  
15 mile of the designated center boundary. If the one-half mile around the  
16 designated center extends into an adjacent municipality, the legislative body of  
17 the adjacent municipal may inform the Board that it does not want the  
18 exemption to extend into that area.

19 Eleventh: By striking out Sec. 25, repeals, in its entirety and inserting in  
20 lieu thereof a new Sec. 25 to read as follows:

1 Sec. 25. REPEAL

2 2023 Acts and Resolves No. 47, Sec. 19c is repealed.

3 Twelfth: By adding a Sec. 25a to read as follows:

4 Sec. 25a. 2023 Acts and Resolves No. 47, Sec. 16a is amended to read:

5 Sec. 16a. ACT 250 EXEMPTION REQUIREMENTS

6 In order to qualify for the exemptions established in 10 V.S.A. § 6001

7 ~~(3)(A)(xi) and (3)(D)(viii)(III)~~ and 10 V.S.A. § 6081(dd), a person shall

8 request a jurisdictional opinion under 10 V.S.A. § 6007 on or before ~~June 30~~

9 December 31, 2026. The jurisdictional opinion shall require the project to

10 substantially complete construction on or before June 30, 2029 in order to

11 remain exempt.

12 Thirteenth: By striking out Sec. 27, 10 V.S.A. § 6033, in its entirety and

13 inserting in lieu thereof a new Sec. 27 to read as follows:

14 Sec. 27. 10 V.S.A. § 6033 is added to read:

15 § 6033. REGIONAL PLAN FUTURE LAND USE MAP REVIEW

16 (a) The Board shall review requests from regional planning commissions to

17 approve or disapprove portions of future land use maps for the purposes of

18 changing jurisdictional thresholds under this chapter by identifying areas on

19 future land use maps for Tier 1B area status and to approve designations

20 pursuant to 24 V.S.A. chapter 139. The Board may produce guidelines for

1 regional planning commissions seeking Tier 1B area status. If requested by the  
2 regional planning commission, the Board shall complete this review  
3 concurrently with regional plan approval. A municipality may have multiple  
4 noncontiguous areas receive Tier 1B area status. A request for Tier 1B area  
5 status made by a regional planning commission separate from regional plan  
6 approval shall follow the process set forth in 24 V.S.A. § 4348.

7 (b) The Board shall review the portions of future land use maps that  
8 include downtowns or village centers, planned growth areas, and village areas  
9 to ensure they meet the requirements under 24 V.S.A. §§ 5803 and 5804 for  
10 designation as downtown and village centers and neighborhood areas.

11 (c) To obtain a Tier 1B area status under this section the regional planning  
12 commission shall demonstrate to the Board that the municipalities with Tier 1B  
13 areas meet the following requirements as included in subdivision 24 V.S.A.  
14 § 4348a(a)(12)(C):

15 (1) The municipality has requested to have the area mapped for Tier 1B.

16 (2) The municipality has a duly adopted and approved plan and a  
17 planning process that is confirmed in accordance with 24 V.S.A. § 4350.

18 (3) The municipality has adopted permanent zoning and subdivision  
19 bylaws in accordance with 24 V.S.A. §§ 4414, 4418, and 4442.

1           (4) The area excludes identified flood hazard and fluvial erosion areas,  
2 except those areas containing preexisting development in areas suitable for  
3 infill development as defined in § 29-201 of the Vermont Flood Hazard Area  
4 and River Corridor Rule unless the municipality has adopted flood hazard and  
5 river corridor bylaws applicable to the entire municipality that are consistent  
6 with the standards established pursuant to subsection 755(b) of this title (flood  
7 hazard) and subsection 1428(b) of this title (river corridor).

8           (5) The municipality has water supply, wastewater infrastructure, or  
9 soils that can accommodate a community system for compact housing  
10 development in the area proposed for Tier 1B.

11           (6) The municipality has municipal staff or contracted capacity adequate  
12 to support development review and zoning administration in the Tier 1B area.

13           Fourteenth: In Sec. 28, 10 V.S.A. § 6034, in subsection (b), by striking out  
14 subdivision (1) in its entirety and inserting in lieu thereof a new subdivision (1)  
15 to read as follows:

16           (1) To obtain a Tier 1A area status under this section, a municipality  
17 shall demonstrate to the Board that it has each of the following:

18           (A) A municipal plan that is approved in accordance with 24 V.S.A.  
19 § 4350.



1           (B) The boundaries are consistent with downtown or village centers  
2 and planned growth areas as defined 24 V.S.A. § 4348a(a)(12) in an approved  
3 regional plan future land use map with any minor amendments.

4           (C) The municipality has adopted flood hazard and river corridor  
5 bylaws, applicable to the entire municipality, that are consistent with or  
6 stronger than the standards established pursuant to subsection 755(b) of this  
7 title (flood hazard) and subsection 1428(b) of this title (river corridor) or the  
8 proposed Tier 1A area excludes the flood hazard areas and river corridor.

9           (D) The municipality has adopted permanent zoning and subdivision  
10 bylaws that do not include broad exemptions that exclude significant private or  
11 public land development from requiring a municipal land use permit.

12           (E) The municipality has permanent land development regulations for  
13 the Tier 1A area that further the smart growth principles of 24 V.S.A. chapter  
14 76A, adequately regulate the physical form and scale of development, provide  
15 reasonable provision for a portion of the areas with sewer and water to allow at  
16 least four stories, and conform to the guidelines established by the Board.

17           (F) The Tier 1A area is compatible with the character of adjacent  
18 National Register Historic Districts, National or State Register Historic Sites,  
19 and other significant cultural and natural resources identified by local or State  
20 government.

1           (G) The municipality has identified and planned for the maintenance  
2 of significant natural communities, rare, threatened, and endangered species  
3 located in the Tier 1A area or excluded those areas from the Tier 1A area.

4           (H) Public water and wastewater systems have the capacity to  
5 support additional development within the Tier 1A area.

6           (I) Municipal staff adequate to support coordinated comprehensive  
7 and capital planning, development review, and zoning administration in the  
8 Tier 1A area.

9           Fifteenth: In Sec. 31, 10 V.S.A. § 6081, by striking out subsection (dd) in  
10 its entirety and inserting in lieu thereof a new subsection (dd) to read as  
11 follows:

12           (dd) Interim housing exemptions.

13           (1) Notwithstanding any other provision of law to the contrary, until  
14 January 1, 2027, no permit or permit amendment is required for the  
15 construction of housing projects such as cooperatives, condominiums,  
16 dwellings, or mobile homes, with 75 units or fewer, constructed or maintained  
17 on a tract or tracts of land, located entirely within the areas of a designated new  
18 town center, a designated growth center, or a designated neighborhood  
19 development area served by public sewer or water services or soils that are  
20 adequate for wastewater disposal. Housing units constructed pursuant to this

1 subdivision shall not count towards the total units constructed in other areas.

2 This exemption shall not apply to areas within mapped river corridors and

3 floodplains except those areas containing preexisting development in areas

4 suitable for infill development as defined in 29-201 of the Vermont Flood

5 Hazard Area and River Corridor Rule.

6 (2)(A) Notwithstanding any other provision of law to the contrary, until

7 January 1, 2027, no permit or permit amendment is required for the

8 construction of housing projects such as cooperatives, condominiums,

9 dwelling, or mobile homes, with 50 or fewer units, constructed or maintained

10 on a tract or tracts of land of 10 acres or less, located entirely within areas of a

11 designated village center and within one-quarter mile of its boundary with

12 permanent zoning and subdivision bylaws and served by public sewer or water

13 services or soils that are adequate for wastewater disposal.

14 (B) Housing units constructed pursuant to this subdivision shall not

15 count towards the total units constructed in other areas. This exemption shall

16 not apply to areas within mapped river corridors and floodplains except those

17 areas containing preexisting development in areas suitable for infill

18 development as defined in 29-201 of the Vermont Flood Hazard Area and

19 River Corridor Rule. For purposes of this subdivision, in order for a parcel to

20 qualify for the exemption, at least 51 percent of the parcel shall be located

1 within one-quarter mile of the designated village center boundary. If the one-  
2 quarter mile extends into an adjacent municipality, the legislative body of the  
3 adjacent municipal may inform the Board that it does not want the exemption  
4 to extend into that area.

5 (3) Notwithstanding any other provision of law to the contrary, until  
6 January 1, 2027, no permit or permit amendment is required for the  
7 construction of housing projects such as cooperatives, condominiums,  
8  dwellings, or mobile homes, constructed or maintained on a tract or tracts of  
9 land, located entirely within a designated downtown development district with  
10 permanent zoning and subdivision bylaws served by public sewer or water  
11 services or soils that are adequate for wastewater disposal. Housing units  
12 constructed pursuant to this subdivision shall not count towards the total units  
13 constructed in other areas. This exemption shall not apply to areas within  
14 mapped river corridors and floodplains except those areas containing  
15 preexisting development in areas suitable for infill development as defined in  
16 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.

17 Sixteenth: By striking out Sec. 32, 10 V.S.A. § 6001(50) and (51), in its  
18 entirety and inserting in lieu thereof a new Sec. 32 to read as follows:

1 Sec. 32. 10 V.S.A. § 6001(50) is added to read:

2 (50) “Accessory dwelling unit” means a distinct unit that is clearly  
3 subordinate to a single-family dwelling, is located on an owner-occupied lot,  
4 and has facilities and provisions for independent living, including sleeping,  
5 food preparation, and sanitation, provided there is compliance with all of the  
6 following:

7 (A) the unit does not exceed 30 percent of the habitable floor area of  
8 the single-family dwelling or 900 square feet, whichever is greater; and

9 (B) the unit is located within or appurtenant to an existing single-  
10 family dwelling.

11 Seventeenth: In Sec. 52, 24 V.S.A. § 4412, in subdivision (1)(D), by  
12 striking out the third sentence in its entirety and inserting in lieu thereof the  
13 following:

14 In any district that allows year-round residential development, duplexes  
15 shall be an allowed use with ~~the same~~ dimensional standards as that are not  
16 more restrictive than is required for a single-unit dwelling, including no  
17 additional land or lot area than would be required for a single-unit dwelling.

18 Eighteenth: In Sec. 52, 24 V.S.A. § 4412, by striking out subdivision (12)  
19 in its entirety and inserting in lieu thereof the following:

1           (12) In any area served by municipal sewer and water infrastructure that  
2 allows residential development, bylaws shall establish lot and building  
3 dimensional standards that allow five or more dwelling units per acre for each  
4 allowed residential use,~~and density.~~ Density and minimum lot size standards  
5 for multiunit dwellings shall not be more restrictive than those required for  
6 single-family dwellings.

7           Nineteenth: By striking out Sec. 57, 24 V.S.A. § 4429, in its entirety and  
8 inserting in lieu thereof of the following:

9           Sec. 57. [Deleted.]

10          Twentieth: By striking out Sec. 58, 24 V.S.A. § 4464, in its entirety and  
11 inserting in lieu thereof the following:

12          Sec. 58. [Deleted.]

13          Twenty-first: By striking out Sec. 59, 24 V.S.A. § 4465, in its entirety and  
14 inserting in lieu thereof the following:

15          Sec. 59. [Deleted.]

16          Twenty-second: By striking out Sec. 68, 32 V.S.A. § 5930aa, in its entirety  
17 and inserting in lieu thereof the following:

18          Sec. 68. [Deleted.]

19          Twenty-third: By striking out Secs. 73–78 in their entirety and inserting  
20 in lieu thereof new Secs. 73–78 to read as follows:

1 Sec. 73. 32 V.S.A. § 9602 is amended to read:

2 § 9602. TAX ON TRANSFER OF TITLE TO PROPERTY

3 (a) A tax is hereby imposed upon the transfer by deed of title to property  
4 located in this State, or a transfer or acquisition of a controlling interest in any  
5 person with title to property in this State. The amount of the tax equals ~~one~~  
6 ~~and one-quarter~~ 1.25 percent of the value of the property transferred up to  
7 \$750,000.00 of value and 3.65 percent of the value of the property transferred  
8 in excess of \$750,000.00, or \$1.00, whichever is greater, except as follows:

9 (1) With respect to the transfer of property to be used for the principal  
10 residence of the transferee, the tax shall be imposed at the rate of ~~five tenths of~~  
11 ~~one~~ 0.5 percent of the first ~~\$100,000.00~~ \$200,000.00 in value of the property  
12 transferred and at the rate of ~~one and one-quarter~~ 1.25 percent of the value of  
13 the property transferred in excess of ~~\$100,000.00~~ \$200,000.00; except that no  
14 tax shall be imposed on the first ~~\$110,000.00~~ \$250,000.00 in value of the  
15 property transferred if the purchaser obtains a purchase money mortgage  
16 funded in part with a homeland grant through the Vermont Housing and  
17 Conservation Trust Fund or that the Vermont Housing and Finance Agency or  
18 U.S. Department of Agriculture and Rural Development has committed to  
19 make or purchase; and tax at the rate of ~~one and one-quarter~~ 1.25 percent shall  
20 be imposed on the value of that property in excess of ~~\$110,000.00~~

1 \$250,000.00. In all cases, the tax shall be imposed at the rate of 3.65 percent  
2 of the value of the property transferred in excess of \$750,000.00.

3 (2) [Repealed.]

4 (3) With respect to the transfer to a housing cooperative organized under  
5 11 V.S.A. chapter 7 and whose sole purpose is to provide principal residences  
6 for all of its members or shareholders, or to an affordable housing cooperative  
7 under 11 V.S.A. chapter 14, of property to be used as the principal residence of  
8 a member or shareholder, the tax shall be imposed in the amount of ~~five tenths~~  
9 ~~of one 0.5 percent of the first \$100,000.00~~ \$200,000.00 in value of the  
10 residence transferred and at the rate of ~~one and one quarter~~ 1.25 percent of the  
11 value of the residence transferred in excess of ~~\$100,000.00~~ \$200,000.00;  
12 provided that the homesite leased by the cooperative is used exclusively as the  
13 principal residence of a member or shareholder. If the transferee ceases to be  
14 an eligible cooperative at any time during the six years following the date of  
15 transfer, the transferee shall then become obligated to pay any reduction in  
16 property transfer tax provided under this subdivision, and the obligation to pay  
17 the additional tax shall also run with the land. In all cases, the tax shall be  
18 imposed at the rate of 3.65 percent of the value of the property transferred in  
19 excess of \$750,000.00.



1        (b) Each year on August 1, the Commissioner shall adjust the values taxed  
2        at a lower rate under subdivisions (a)(1) and (3) of this section according to the  
3        percent change in the Bureau of Labor Statistics Consumer Price Index for All  
4        Urban Consumers (CPI-U) by determining the increase or decrease, to the  
5        nearest 0.1 percent, for the month ending on June 30 in the calendar year one  
6        year prior to the first day of the current fiscal year compared to the CPI-U for  
7        the month ending on June 30 in the calendar year two years prior. The  
8        Commissioner shall update the return required under section 9610 of this title  
9        according to this adjustment.

10      Sec. 74. 32 V.S.A. § 9602a is amended to read:

11      § 9602a. CLEAN WATER SURCHARGE

12              There shall be a surcharge of ~~0.2~~ 0.22 percent on the value of property  
13      subject to the property transfer tax under section 9602 of this title, except that  
14      there shall be no surcharge on the first ~~\$100,000.00~~ \$200,000.00 in value of  
15      property to be used for the principal residence of the transferee or the first  
16      ~~\$200,000.00~~ \$250,000.00 in value of property transferred if the purchaser  
17      obtains a purchase money mortgage funded in part with a homeland grant  
18      through the Vermont Housing and Conservation Trust Fund or that the  
19      Vermont Housing and Finance Agency or U.S. Department of Agriculture and  
20      Rural Development has committed to make or purchase. The surcharge shall

1 be in addition to any tax assessed under section 9602 of this title. The  
2 surcharge assessed under this section shall be paid, collected, and enforced  
3 under this chapter in the same manner as the tax assessed under section 9602  
4 of this title. The Commissioner shall deposit the surcharge collected under this  
5 section in the Clean Water Fund under 10 V.S.A. § 1388, except for the first  
6 \$1,000,000.00 of revenue generated by the surcharge, which shall be deposited  
7 in the Vermont Housing and Conservation Trust Fund created in  
8 10 V.S.A. § 312.

9 Sec. 75. 2017 Acts and Resolves No. 85, Sec. I.10 is amended to read:

10 Sec. I.10 32 V.S.A. § 9602a is amended to read:

11 § 9602a. CLEAN WATER SURCHARGE

12 There shall be a surcharge of ~~0.2~~ 0.04 percent on the value of property  
13 subject to the property transfer tax under section 9602 of this title, except that  
14 there shall be no surcharge on the first ~~\$100,000.00~~ \$200,000.00 in value of  
15 property to be used for the principal residence of the transferee or the first  
16 ~~\$200,000.00~~ \$250,000.00 in value of property transferred if the purchaser  
17 obtains a purchase money mortgage funded in part with a homeland grant  
18 through the Vermont Housing and Conservation Trust Fund or which the  
19 Vermont Housing and Finance Agency or U.S. Department of Agriculture and  
20 Rural Development has committed to make or purchase. The surcharge shall

1 be in addition to any tax assessed under section 9602 of this title. The  
2 surcharge assessed under this section shall be paid, collected, and enforced  
3 under this chapter in the same manner as the tax assessed under section 9602  
4 of this title. The Commissioner shall deposit the surcharge collected under this  
5 section ~~in the Clean Water Fund under 10 V.S.A. § 1388, except for the first~~  
6 ~~\$1,000,000.00 of revenue generated by the surcharge, which shall be deposited~~  
7 in the Vermont Housing and Conservation Trust Fund created in 10 V.S.A.  
8 § 312.

9 Sec. 75a. 32 V.S.A. § 9610(c) is amended to read:

10 (c) Prior to distributions of property transfer tax revenues under 10 V.S.A.  
11 § 312, 24 V.S.A. § 4306(a), and subdivision 435(b)(10) of this title, ~~two~~ 1.5  
12 percent of the revenues received from the property transfer tax shall be  
13 deposited in a special fund in the Department of Taxes for Property Valuation  
14 and Review administration costs.

15 Sec. 76. 24 V.S.A. § 4306(a) is amended to read:

16 (a)(1) The Municipal and Regional Planning Fund for the purpose of  
17 assisting municipal and regional planning commissions to carry out the intent  
18 of this chapter is hereby created in the State Treasury.

19 (2) The Fund shall be composed of ~~47~~ 13 percent of the revenue  
20 deposited from the property transfer tax under 32 V.S.A. chapter 231 and any

1 monies from time to time appropriated to the Fund by the General Assembly or  
2 received from any other source, private or public. All balances at the end of  
3 any fiscal year shall be carried forward and remain in the Fund. Interest earned  
4 by the Fund shall be deposited in the Fund.

5 \* \* \*

6 Sec. 77. 32 V.S.A. § 435(b) is amended to read:

7 (b) The General Fund shall be composed of revenues from the following  
8 sources:

9 (1) alcoholic beverage tax levied pursuant to 7 V.S.A. chapter 15;

10 (2) [Repealed.]

11 (3) [Repealed.]

12 (4) corporate income and franchise taxes levied pursuant to chapter 151  
13 of this title;

14 (5) individual income taxes levied pursuant to chapter 151 of this title;

15 (6) all corporation taxes levied pursuant to chapter 211 of this title;

16 (7) 69 percent of the meals and rooms taxes levied pursuant to chapter  
17 225 of this title;

18 (8) [Repealed.]

19 (9) [Repealed.]

1           (10) ~~33~~ 37 percent of the revenue from the property transfer taxes levied  
2 pursuant to chapter 231 of this title and the revenue from the gains taxes levied  
3 each year pursuant to chapter 236 of this title; and

4           (11) [Repealed.]

5           (12) all other revenues accruing to the State not otherwise required by  
6 law to be deposited in any other designated fund or used for any other  
7 designated purpose.

8   Sec. 78. TRANSFERS; PROPERTY TRANSFER TAX

9       Notwithstanding 10 V.S.A. § 312, 24 V.S.A. § 4306(a), 32 V.S.A.  
10 § 9610(c), or any other provision of law to the contrary, amounts in excess of  
11 \$32,954,775.00 from the property transfer tax shall be transferred into the  
12 General Fund. Of this amount:

13           (1) \$6,106,310.00 shall be transferred from the General Fund into the  
14 Vermont Housing and Conservation Trust Fund.

15           (2) \$1,279,740.00 shall be transferred from the General Fund into the  
16 Municipal and Regional Planning Fund.

17       Twenty-fourth: By striking out Secs. 79–83, property value freeze for new  
18 construction and rehabilitation, in their entirety and inserting in lieu thereof  
19 new Secs. 79–83 to read as follows:

20   Sec. 79. [Deleted.]

1 Sec. 80. [Deleted.]

2 Sec. 81. [Deleted.]

3 Sec. 82. [Deleted.]

4 Sec. 83. [Deleted.]

5 Twenty-fifth: By adding a new section to be Sec. 83a to read as follows:

6 Sec. 83a. 32 V.S.A. § 9603 is amended to read:

7 § 9603. EXEMPTIONS

8 (a) The following transfers are exempt from the tax imposed by this  
9 chapter:

10 \* \* \*

11 (27)(A) Transfers of abandoned dwellings that the transferee certifies  
12 will be rehabilitated for occupancy as principal residences and not as short-  
13 term rentals as defined under 18 V.S.A. § 4301(a)(14), provided the  
14 rehabilitation is completed and occupied not later than three years after the  
15 date of the transfer. If three years after the date of transfer the rehabilitation  
16 has not been completed and occupied, then the tax imposed by this chapter  
17 shall become due.

18 (B) As used in this subdivision (27):

19 (i) “Abandoned” means real estate owned by a municipality and  
20 acquired through condemnation or a tax sale, provided the real estate has

1 substandard structural or housing conditions, including unsanitary and unsafe  
2 dwelling and deterioration sufficient to constitute a threat to human health,  
3 safety, and public welfare.

4 (ii) “Completed” means rehabilitation of a dwelling to be fit for  
5 occupancy as a principal residence.

6 (iii) “Principal residence” means a dwelling occupied by a resident  
7 individual as the individual’s domicile during the taxable year and for a  
8 property owner, owned, or for a renter, rented under a rental agreement other  
9 than a short-term rental as defined under 18 V.S.A. § 4301(a)(14).

10 (iv) “Rehabilitation” means extensive repair, reconstruction, or  
11 renovation of an existing dwelling beyond normal and ordinary maintenance,  
12 painting, repairs, or replacements, with or without demolition, new  
13 construction, or enlargement.

14 (28) Transfers of a new mobile home, as that term is defined in  
15 10 V.S.A. § 6201(1), that:

16 (A) bears a label evidencing, at a minimum, greater energy efficiency  
17 under the ENERGY STAR Program established in 42 U.S.C. § 6294a; or

18 (B) is certified as a Zero Energy Ready Home by the U.S.  
19 Department of Energy.

1       (b) The following transfers shall not pay a rate higher than 1.25 percent  
2       of the value of the property transferred:

3               (1) Transfers of property that are enrolled in the Use Value Appraisal  
4       Program pursuant to chapter 124 of this title, and will continue to be enrolled  
5       after transfer, provided:

6                       (A) at least 25 acres are enrolled as agricultural land, as defined in  
7       subdivision 3752(1)(A) of this title; and

8                       (B) the transferee is a farmer, as defined in subdivision 3752(7) of  
9       this title.

10       Twenty-sixth: By adding a reader assistance heading and three new  
11       sections to be Secs. 94–96 to read as follows:

12                               \* \* \* Eviction Prevention Initiatives \* \* \*

13       Sec. 94. APPROPRIATION; RENTAL HOUSING STABILIZATION  
14               SERVICES

15       The sum of \$400,000.00 is appropriated from the General Fund to the  
16       Office of Economic Opportunity within the Department for Children and  
17       Families in fiscal year 2025 for a grant to the Champlain Valley Office of  
18       Economic Opportunity for the Rental Housing Stabilization Services Program  
19       established by 2023 Acts and Resolves No. 47, Sec. 43.



1 Sec. 95. APPROPRIATION; TENANT REPRESENTATION PILOT  
2 PROGRAM

3 The sum of \$1,025,000.00 is appropriated from the General Fund to the  
4 Agency of Human Services in fiscal year 2025 for a grant to Vermont Legal  
5 Aid for the Tenant Representation Pilot Program established by 2023 Acts and  
6 Resolves No. 47, Sec. 44.

7 Sec. 96. APPROPRIATION; RENT ARREARS ASSISTANCE FUND

8 The sum of \$2,500,000.00 is appropriated from the General Fund to the  
9 Vermont State Housing Authority in fiscal year 2025 for the Rent Arrears  
10 Assistance Fund established by 2023 Acts and Resolves No. 47, Sec. 45.

11 Twenty-seventh: By striking out Secs. 102–104 in their entirety and  
12 inserting in lieu thereof new Secs. 102–104 to read as follows:

13 Sec. 102. 27 V.S.A. § 380 is added to read:

14 § 380. DISCLOSURE OF INFORMATION; CONVEYANCE OF REAL  
15 ESTATE

16 (a) Prior to or as part of a contract for the conveyance of real property, the  
17 seller shall provide the buyer with the following information:

18 (1) whether the real property is located in a Federal Emergency  
19 Management Agency mapped special flood hazard area;

1           (2) whether the real property is located in a Federal Emergency  
2 Management Agency mapped moderate flood hazard area;

3           (3) whether the real property was subject to flooding or flood damage  
4 while the seller possessed the property, including flood damage from  
5 inundation or from flood-related erosion or landslide damage; and

6           (4) whether the seller maintains flood insurance on the real property.

7           (b) The failure of the seller to provide the buyer with the information  
8 required under subsection (a) of this section is grounds for the buyer to  
9 terminate the contract prior to transfer of title or occupancy, whichever occurs  
10 earlier.

11           (c) A buyer of real estate who fails to receive the information required to be  
12 disclosed by a seller under subsection (a) of this section may bring an action to  
13 recover from the seller the amount of the buyer's damages and reasonable  
14 attorney's fees. The buyer may also seek punitive damages when the seller  
15 knowingly failed to provide the required information.

16           (d) A seller shall not be liable for damages under this section for any error,  
17 inaccuracy, or omission of any information required to be disclosed to the  
18 buyer under subsection (a) of this section when the error, inaccuracy, or  
19 omission was based on information provided by a public body or by another  
20 person with a professional license or special knowledge who provided a

1 written report that the seller reasonably believed to be correct and that was  
2 provided by the seller to the buyer.

3 (e) Noncompliance with the requirements of this section shall not affect the  
4 marketability of title of a real property.

5 Sec. 103. 9 V.S.A. § 4466 is added to read:

6 § 4466. REQUIRED DISCLOSURE; MODEL FORM

7 (a) A landlord shall disclose in advance of entering a rental agreement with  
8 a tenant whether any portion of the premises offered for rent is located in a  
9 Federal Emergency Management Agency mapped special flood hazard area.  
10 This notice shall be provided to the tenant at or before execution of the lease in  
11 a separate written document substantially in the form prescribed by the  
12 Department of Housing and Community Development pursuant to subsection  
13 (b) of this section.

14 (b) The Department of Housing and Community Development shall  
15 develop a model form for the notice provided under this section that shall  
16 include the information required under subsection (a) of this section.

17 Sec. 104. 10 V.S.A. § 6236(e) is amended to read:

18 (e) All mobile home lot leases shall contain the following:

19 \* \* \*

1           (8)(A) Notice that the mobile home park is in a flood hazard area if any  
2 lot within the mobile home park is wholly or partially located in a flood hazard  
3 area according to the flood insurance rate map effective for the mobile home  
4 park at the time the proposed lease is furnished to a prospective leaseholder.  
5 This notice shall be provided in a clear and conspicuous manner in a separate  
6 written document substantially in the form prescribed by the Department of  
7 Housing and Community Development pursuant to subdivision (B) of this  
8 subdivision (8) and attached as an addendum to the proposed lease.

9           (B) The Department of Housing and Community Development shall  
10 develop a model form for the notice provided under this section that shall  
11 include the information required under subdivision (A) of this subdivision (8).

12       Twenty-Eighth: By adding a new section to be Sec. 105a to read as  
13 follows:

14 Sec. 105a. 9 V.S.A. § 2602 is amended to read:

15 § 2602. SALE OR TRANSFER; PRICE DISCLOSURE; MOBILE HOME

16           UNIFORM BILL OF SALE

17       (a) Appraisal; disclosure. When a mobile home is sold or offered for sale:

18           (1) If a mobile home is appraised, the appraisal shall include a cover  
19 sheet that itemizes the value of the unsited mobile home, the value of any

1 adjacent or attached structures located on the site and the value of the sited  
2 location, if applicable, and valuations of sales of comparable properties.

3 (2) In the case of a new mobile home, the seller shall provide to a  
4 prospective buyer a written disclosure that states the retail price of the unsited  
5 mobile home, any applicable taxes, the set-up and transportation costs, and the  
6 value of the sited location, if applicable.

7 (3) In the case of a mobile home as defined in 10 V.S.A. § 6201, the  
8 seller shall provide to a prospective buyer a written disclosure of any flooding  
9 history or flood damage to the mobile home known to the seller, including  
10 flood damage from inundation or from flood-related erosion or landslide  
11 damage.

12 (4) A legible copy of the disclosure required in subdivision (2) of this  
13 subsection shall be prominently displayed on a new mobile home in a location  
14 that is clearly visible to a prospective buyer from the exterior.

15 \* \* \*

16 Twenty-ninth: By striking out Sec. 111, land bank report, in its entirety and  
17 inserting in lieu thereof a new Sec. 111 to read as follows:

18 Sec. 111. [Deleted.]

1       Thirtieth: In Sec. 113, landlord-tenant law; Study Committee; report, by  
2 striking out subsection (h) in its entirety and inserting in lieu thereof a new  
3 subsection (h) to read as follows:

4       (h) Appropriation. The sum of \$7,700.00 is appropriated to the General  
5 Assembly from the General Fund in fiscal year 2025 for per diem  
6 compensation and reimbursement of expenses for members of the Committee.

7       Thirty-first: By striking out Secs. 113a, long-term affordable housing;  
8 Study Committee; report, and 113b, appropriation; Natural Resources Board,  
9 and its reader assistance heading in their entirety and inserting in lieu thereof  
10 new Secs. 113a–113b and a reader assistance heading to read as follows:

11       Sec. 113a. [Deleted.]

12                       \* \* \* Natural Resources Board Appropriation \* \* \*

13       Sec. 113b. APPROPRIATION; NATURAL RESOURCES BOARD

14       The sum of \$1,300,000.00 is appropriated from the General Fund to the  
15 Natural Resources Board in fiscal year 2025.

16       Thirty-second: By striking out Sec. 114, effective dates, in its entirety and  
17 inserting in lieu thereof a new Sec. 114 to read as follows:

18       Sec. 114. EFFECTIVE DATES

19       This act shall take effect on passage, except that:

1           (1) Secs. 12 (10 V.S.A. § 6001), 13 (10 V.S.A. § 6086(a)(8)), and 21  
2           (10 V.S.A. § 6001) shall take effect on December 31, 2026;

3           (2) Sec. 19 (10 V.S.A. § 6001(3)(A)(xii)) shall take effect on July 1,  
4           2026;

5           (3) Secs. 73 (property transfer tax rates) and 83a (property transfer tax  
6           exemptions) shall take effect on August 1, 2024; and

7           (4) Sec. 98 (landlord certificate data collection) shall take effect on July  
8           1, 2025.

9           and that after passage the title of the bill remain: “An act relating to  
10          community resilience and biodiversity protection through land use”