

1 H.546

2 An act relating to administrative and policy changes to tax laws

3 The Senate proposes to the House to amend the bill by striking out all after
4 the enacting clause and inserting in lieu thereof the following:

5 * * * Per Parcel Fee for Property Reappraisal * * *

6 Sec. 1. 32 V.S.A. § 4041a is amended to read:

7 § 4041a. REAPPRAISAL

8 (a) A municipality shall be paid \$8.50 per grand list parcel per year from
9 the ~~Education~~ General Fund to be used only for reappraisal and costs related to
10 reappraisal of its grand list properties and for maintenance of the grand list.

11 * * *

12 Sec. 2. 32 V.S.A. § 5412 is amended to read:

13 § 5412. REDUCTION OF LISTED VALUE AND RECALCULATION OF
14 EDUCATION TAX LIABILITY

15 (a)(1) If a listed value is reduced as the result of an appeal or court action
16 made pursuant to section 4461 of this title, a municipality may submit a
17 request for the Director of Property Valuation and Review to recalculate its
18 education property tax liability for the education grand list value lost due to a
19 determination, declaratory judgment, or settlement. The Director shall
20 recalculate the municipality's education property tax liability for each year at
21 issue, in accord with the reduced valuation, provided that:

1 credit of a claimant who was assessed property tax by a town that revised the
2 dates of its fiscal year, however, is the excess of the property tax that was
3 assessed in the last 12 months of the revised fiscal year, over the adjusted
4 property tax of the claimant for the revised fiscal year, as determined under
5 section 6066 of this title, related to a homestead owned by the claimant.

6 * * *

7 (d) ~~For late claims filed after April 15, the property tax credit amount shall~~
8 ~~be reduced by \$15.00 [Repealed.]~~

9 * * *

10 Sec. 7. 32 V.S.A. § 6068 is amended to read:

11 § 6068. APPLICATION AND TIME FOR FILING

12 (a) A property tax credit claim or request for allocation of an income tax
13 refund to homestead property tax payment shall be filed with the
14 Commissioner on or before the due date for filing the Vermont income tax
15 return, without extension, and shall describe the school district in which the
16 homestead property is located and shall particularly describe the homestead
17 property for which the credit or allocation is sought, including the school
18 parcel account number prescribed in subsection 5404(b) of this title. A renter
19 credit claim shall be filed with the Commissioner on or before the due date for
20 filing the Vermont income tax return, without extension.

1 (b) ~~If the claimant fails to file a timely claim, the amount of the property~~
2 ~~tax credit under this chapter shall be reduced by \$15.00, but not below \$0.00,~~
3 ~~which shall be paid to the municipality for the cost of issuing an adjusted~~
4 ~~homestead property tax bill.~~ If the claimant files a claim after October 15 but
5 on or before March 15 of the following calendar year, the property tax credit
6 under this chapter:

7 (1) shall be reduced in amount by \$150.00, but not below \$0.00;

8 (2) shall be issued directly to the claimant; and

9 (3) shall not require the municipality where the claimant's property is
10 located to issue an adjusted homestead property tax bill.

11 (c) No request for allocation of an income tax refund or for a renter credit
12 claim may be made after October 15. No property tax credit claim may be
13 made after March 15 of the calendar year following the due date under
14 subsection (a) of this section.

15 * * * Utility Property Valuation * * *

16 Sec. 8. 32 V.S.A. § 4452 is amended to read:

17 § 4452. VALUATIONS

18 (a) On or before May 1 of each year, the Division of Property Valuation
19 and Review of the Department of Taxes shall furnish the listers in each town or
20 city with the valuation of all taxable property of any public utility situated
21 therein as reported by such utility to the Division.

1 (b) Each public utility shall furnish to the Division not later than March 31
2 in each year a sworn inventory of all its taxable property in such form as will
3 show the valuation of its property in each town, city, or other municipality.

4 (c) The Division shall prescribe the form of such report and the officer or
5 officers who shall make oath thereto.

6 (d) The valuations ~~so~~ furnished under this section shall be considered along
7 with any other information as may reasonably be required by ~~such~~ listers in
8 determining and fixing the valuations of ~~such~~ property for the purposes of ~~local~~
9 property taxation. The Division may require that each municipality use certain
10 valuations furnished under this section. The valuations provided by the
11 Division for property used for the transmission and distribution of electricity
12 shall be used by the listers as the valuations of that property for purposes of
13 property taxation.

14 * * * Property Tax Exemptions * * *

15 Sec. 9. 32 V.S.A. § 3802(22) is added to read:

16 (22) Real and personal estate owned by a county of this State, except
17 land and buildings outside of a county's territorial limits shall be subject to
18 municipal property tax by the municipality in which the land or buildings are
19 situated. Notwithstanding the preceding provision, the exemption for public,
20 pious, and charitable uses under subdivision (4) of this section shall be

1 available for qualifying county land and buildings outside of the county's
2 territorial limits.

3 * * * Fuel Tax * * *

4 Sec. 10. 33 V.S.A. § 2503(d) is amended to read:

5 (d) No tax under this section shall be imposed for any month ending after
6 June 30, ~~2024~~ 2029.

7 * * * Health IT Fund Sunset Extension * * *

8 Sec. 11. 2013 Acts and Resolves No. 73, Sec. 60(10), as amended by 2017
9 Acts and Resolves No. 73, Sec. 14, 2018 Acts and Resolves No. 187, Sec. 5,
10 2019 Acts and Resolves No. 71, Sec. 21, 2021 Acts and Resolves No. 73,
11 Sec. 14, and 2023 Acts and Resolves No. 78, Sec. E.306.1, is further amended
12 to read:

13 (10) Secs. 48–51 (health care claims tax) shall take effect on July 1,
14 2013 and Sec. 52 (Health IT-Fund; sunset) shall take effect on July 1, ~~2025~~
15 2026.

16 Sec. 12. 2019 Acts and Resolves No. 6, Sec. 105, as amended by 2019 Acts
17 and Resolves No. 71, Sec. 19, 2022 Acts and Resolves No. 83, Sec. 75, and
18 2023 Acts and Resolves No. 78, Sec. E.306.2, is further amended to read:

19 Sec. 105. EFFECTIVE DATES

20 * * *

1 (b) Sec. 73 (further amending 32 V.S.A. § 10402) shall take effect on July
2 1, ~~2025~~ 2026.

3 * * *

4 * * * Extension of Sales Tax Exemption for Advanced Wood Boilers * * *

5 Sec. 12a. 2018 Acts and Resolves No. 194, Sec. 26b(a), as amended by 2019
6 Acts and Resolves No. 83, Sec. 14, and by 2023 Acts and Resolves No. 73,
7 Sec. 23, is further amended to read:

8 (a) 32 V.S.A. §§ 9741(52) (sales tax exemption for advanced wood boilers)
9 and 9706(II) (statutory purpose; sales tax exemption for advanced wood
10 boilers) shall be repealed on July 1, ~~2024~~ 2027.

11 Sec. 12b. REPEAL

12 2023 Acts and Resolves No. 72, Sec. 8 (sales tax exemption; advanced
13 wood boilers) is repealed.

14 Sec. 13. 32 V.S.A. § 9701(12) is amended to read:

15 (12)(A) “Casual sale” means an isolated or occasional sale of an item of
16 tangible personal property by a person who is not regularly engaged in the
17 business of making sales of that general type of property at retail where the
18 property was obtained by the person making the sale, through purchase or
19 otherwise, for ~~his or her~~ the person’s own use.

20 (B) Aircraft as defined in 5 V.S.A. § 202(6), snowmobiles as defined
21 in 23 V.S.A. § 3201(5), all-terrain vehicles as defined in 23 V.S.A. § 3501(1),

1 motorboats as defined in 23 V.S.A. § ~~3302(4)~~ 3302(6), and vessels as defined
2 in 23 V.S.A. § ~~3302(11)~~ 3302(17) that are 16 feet or more in length are hereby
3 specifically excluded from the definition of casual sale.

4 Sec. 14. 32 V.S.A. § 9746 is amended to read:

5 § 9746. SNOWMOBILE, ALL-TERRAIN VEHICLE, MOTORBOAT, AND
6 VESSEL SALES

7 (a) If a person sells a snowmobile, all-terrain vehicle, motorboat, or vessel
8 and within three months purchases another such vehicle or vessel, “sales price”
9 for purposes of the tax on the new vehicle or vessel shall exclude the lesser of:

10 (1) the sale price of the first vehicle or vessel; or

11 (2) the average book value at the time of sale of the first vehicle or
12 vessel.

13 (b) If a person receives payment under a contract of insurance for:

14 (1) total destruction of a snowmobile, all-terrain vehicle, motorboat, or
15 vessel; or

16 (2) damage to such vehicle or vessel that was then accepted without
17 repair as a trade-in by the seller of a new snowmobile, all-terrain vehicle,
18 motorboat, or vessel; and within three months ~~of following~~ such destruction or
19 damage the person purchases another snowmobile, motorboat, or vessel, “sales
20 price” for purposes of the tax on the new vehicle or vessel shall exclude the
21 insurance payment and any trade-in allowance for the damaged vehicle.

1 (c) A vendor determining sales price under this section shall obtain in good
2 faith from the purchaser, on a form provided by the Department of Taxes and
3 signed by the purchaser and bearing ~~his or her~~ the purchaser's name and
4 address, a certificate of sale or payment of insurance proceeds with regard to
5 the first vehicle or vessel.

6 * * * Fees * * *

7 Sec. 15. 18 V.S.A. § 5017 is amended to read:

8 § 5017. FEES FOR COPIES

9 (a) For a certified copy of a vital event certificate, the fee shall be \$10.00.

10 (b) The State Registrar shall waive the fee for certified copies of vital event
11 certificates issued to:

12 (1) an individual attesting to a lack of fixed, regular, and adequate
13 nighttime residence; and

14 (2) an individual between 18 and 24 years of age who resided in a foster
15 home or residential child care facility between 16 and 18 years of age pursuant
16 to placement by a child-placing agency.

17 * * * Machinery and Equipment Tax Credit * * *

18 Sec. 16. 32 V.S.A. § 5930ll is amended to read:

19 § 5930ll. MACHINERY AND EQUIPMENT TAX CREDIT

20 * * *

21 (d) Availability of credit.

1 (3) The report shall be filed by ~~February 28~~ the due date of the
2 taxpayer's tax return, including extensions, in each year for activity the
3 previous calendar year and include, at a minimum:

4 (A) the number of full-time jobs in each quarter and the average
5 number of hours worked per week;

6 (B) the level of qualifying capital investments made if reporting on a
7 year within an investment period; and

8 (C) the amount of tax credit earned and applied during the previous
9 calendar year.

10 Sec. 17. 2010 Acts and Resolves No. 156, Sec. H.2 is amended to read:

11 Sec. H.2 REPEAL

12 (a) Subchapter 11M of chapter 151 of Title 32 is repealed July 1, ~~2026~~
13 2030, and no credit under that section shall be available for any taxable year
14 beginning after June 30, ~~2026~~ 2030; ~~provided, however, that if no qualified~~
15 ~~capital expenditures are made during the investment period, both terms as~~
16 ~~defined in 32 V.S.A. § 5930ll(a) of this act, the subchapter shall be repealed~~
17 ~~effective January 1, 2015.~~

18 Sec. 18. [Deleted.]

19 Sec. 19. [Deleted.]

1 ~~education grand list as reported in the 1998 Annual Report of the Division of~~
2 ~~Property Valuation and Review; or~~
3 ~~(C) the combined education tax rate of the municipality will increase~~
4 ~~by 20 percent or more in fiscal year 1999 or in fiscal year 2000 over the rate of~~
5 ~~the combined education property tax in the previous fiscal year.~~

6 (b) If the legislative body of a municipality by a majority vote
7 recommends, the voters of a municipality may, at an annual or special meeting
8 warned for that purpose, by a majority vote of those present and voting, assess
9 any or all of the following:

- 10 (1) a one percent sales tax;
11 (2) a one percent meals and alcoholic beverages tax;
12 (3) a one percent rooms tax.

13 * * *

14 * * * Effective Dates * * *

15 Sec. 21. EFFECTIVE DATES

16 (a) This section, Secs. 1 (reappraisals), 2 (property valuation and review
17 waiver), 9 (exemption for county-owned property), 10 (fuel tax extension), and
18 11 and 12 (extension of Health IT Fund) shall take effect on passage.

19 (b) Notwithstanding 1 V.S.A. § 214, Secs. 3 and 4 (link to federal income
20 tax laws) shall take effect retroactively on January 1, 2024 and apply to taxable
21 years beginning on and after January 1, 2023.

1 (c) Sec. 5 (renter credit expansion) shall take effect on passage and apply to
2 claim years 2025 and after.

3 (d) Secs. 6 and 7 (repeal of property tax credit late fee) shall take effect on
4 passage and apply to claim years 2024 and after.

5 (e) Sec. 8 (utility property valuation) shall take effect on passage and apply
6 to grand lists filed on or after April 1, 2025.

7 (f) Secs. 13 and 14 (casual sales of ATVs), 15 (fee waiver for vital event
8 certificates), 16 and 17 (extension of machinery and equipment tax credit), and
9 20 (local option sales tax) shall take effect on July 1, 2024.

10 (g) Secs. 12a and 12b (sales tax exemption; advanced wood boilers) shall
11 take effect on June 30, 2024.