

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to  
3 which was referred Senate Bill No. 311 entitled “An act relating to “  
4 respectfully reports that it has considered the same and recommends that the  
5 bill be amended by striking out all after the enacting clause and inserting in  
6 lieu thereof the following:

7 Sec. 1. SHORT TITLE

8 This act shall be known and may be cited as the “BE Home Act.”

9 \* \* \* Act 250 \* \* \*

10 Sec. 2. 10 V.S.A. § 6001 is amended to read:

11 § 6001. DEFINITIONS

12 As used in this chapter:

13 \* \* \*

14 (3)(A) “Development” means each of the following:

15 \* \* \*

16 (iv)(I) The construction of housing projects such as cooperatives,  
17 condominiums, or dwellings, or construction or maintenance of mobile homes  
18 or mobile home parks, with ~~40~~ 75 or more units, constructed or maintained on  
19 a tract or tracts of land, located within a municipality with permanent zoning  
20 and subdivision bylaws, served by municipal sewer and water infrastructure as  
21 defined by 24 V.S.A. § 4303, and owned or controlled by a person, ~~within a~~

1 ~~radius of five miles of any point on any involved land and within any~~  
2 ~~continuous period of five two years. However:~~

3 ~~(I) A priority housing project shall constitute a development~~  
4 ~~under this subdivision (iv) only if the number of housing units in the project is:~~

5 ~~(aa) [Repealed.]~~

6 ~~(bb) [Repealed.]~~

7 ~~(cc) 75 or more, in a municipality with a population of 6,000~~  
8 ~~or more but less than 10,000.~~

9 ~~(dd) 50 or more, in a municipality with a population of less~~  
10 ~~than 6,000.~~

11 ~~(ee) [Repealed.]~~

12 ~~(ff) Notwithstanding subdivisions (cc) through (ee) of this~~  
13 ~~subdivision (3)(A)(iv)(I), 10 or more if the construction involves the~~  
14 ~~demolition of one or more buildings that are listed on or eligible to be listed on~~  
15 ~~the State or National Register of Historic Places. However, demolition shall~~  
16 ~~not be considered to create jurisdiction under this subdivision (ff) if the~~  
17 ~~Division for Historic Preservation has determined that the proposed demolition~~  
18 ~~will have no adverse effect, will have no adverse effect if specified conditions~~  
19 ~~are met, or will have an adverse effect that will be adequately mitigated. Any~~  
20 ~~imposed conditions shall be enforceable through a grant condition, deed~~  
21 ~~covenant, or other legally binding document.~~

1                   (II) ~~The determination of jurisdiction over a priority housing~~  
2 ~~project shall count only the housing units included in that discrete project~~ The  
3 construction of housing projects such as cooperatives, condominiums, or  
4 dwelling, or construction or maintenance of mobile homes or mobile home  
5 parks, with 30 or more units, constructed or maintained on a tract or tracts of  
6 land owned or controlled by a person, located within a municipality with  
7 permanent zoning and subdivision bylaws, and within any continuous period  
8 of two years.

9                   (III) ~~Housing units in a priority housing project shall not count~~  
10 ~~toward determining jurisdiction over any other project~~ The construction of  
11 housing projects such as cooperatives, condominiums, or dwelling, or  
12 construction or maintenance of mobile homes or mobile home parks, with  
13 10 or more units, constructed or maintained on a tract or tracts of land owned  
14 or controlled by a person, within a located municipality without permanent  
15 zoning and subdivision bylaws, and within any continuous period of two years.

16   \* \* \*

17                   ~~(xi) Notwithstanding any other provision of law to the contrary, until~~  
18 ~~July 1, 2026, the construction of housing projects such as cooperatives,~~  
19 ~~condominiums, dwelling, or mobile homes, with 25 or more units, constructed~~  
20 ~~or maintained on a tract or tracts of land, located entirely within a designated~~  
21 ~~downtown development district, a designated neighborhood development area,~~

1 ~~a designated village center with permanent zoning and subdivision bylaws, or a~~  
2 ~~designated growth center, owned or controlled by a person, within a radius of~~  
3 ~~five miles of any point on any involved land and within any continuous period~~  
4 ~~of five years. For purposes of this subsection, the construction of four units or~~  
5 ~~fewer of housing in an existing structure shall only count as one unit towards~~  
6 ~~the total number of units.~~

7 \* \* \*

8 (D) The word “development” does not include:

9 \* \* \*

10 (viii)(I) ~~The construction of a priority housing project in a~~  
11 ~~municipality with a population of 10,000 or more.~~

12 (II) ~~If the construction of a priority housing project in this~~  
13 ~~subdivision (3)(D)(viii) involves demolition of one or more buildings that are~~  
14 ~~listed or eligible to be listed on the State or National Register of Historic~~  
15 ~~Places, this exemption shall not apply unless the Division for Historic~~  
16 ~~Preservation has made the determination described in subdivision (A)(iv)(I)(ff)~~  
17 ~~of this subdivision (3) and any imposed conditions are enforceable in the~~  
18 ~~manner set forth in that subdivision.~~

19 (III) ~~Notwithstanding any other provision of law to the~~  
20 ~~contrary, until July 1, 2026, the construction of a priority housing project~~  
21 ~~located entirely within a designated downtown development district,~~

1 ~~designated neighborhood development area, or a designated growth center~~  
2 Hotels and motels converted to permanently affordable housing developments  
3 as defined in 24 V.S.A. § 4303(2).

4 \* \* \*

5 (35) ~~“Priority housing project” means a discrete project located on a~~  
6 ~~single tract or multiple contiguous tracts of land that consists exclusively of~~  
7 ~~mixed income housing or mixed use, or any combination thereof, and is~~  
8 ~~located entirely within a designated downtown development district,~~  
9 ~~designated new town center, designated growth center, or designated~~  
10 ~~neighborhood development area under 24 V.S.A. chapter 76A. [Repealed.]~~

11 \* \* \*

12 Sec. 3. 10 V.S.A. § 6081 is amended to read:

13 § 6081. PERMITS REQUIRED; EXEMPTIONS

14 \* \* \*

15 (t) No permit or permit amendment is required for the construction of  
16 improvements for an accessory dwelling unit as defined in 24 V.S.A. § 4303.

17 \* \* \*

18 (aa) No permit amendment is required for the construction of  
19 improvements for converting a structure used for a commercial purpose to  
20 29 or fewer housing units.

1        (bb) No permit amendment is required for development or subdivisions,  
2        located on a tract or tracts of land, owned or controlled by a person, within a  
3        designated center and within a radius of one-quarter mile of the boundary of a  
4        designated village center and one-half mile of the boundary of a designated  
5        center.

6        Sec. 4. 10 V.S.A. § 6084(f) is added to read:

7        (f) The applicant shall post a sign provided by the District Commission on  
8        the subject property in a visible location 14 days prior to the hearing on the  
9        application and until the permit is issued or denied. The District Commission  
10       shall provide the sign that shall include a general description of the project, the  
11       date and place of the hearing, the identification number of the application and  
12       the internet address, and the contact information for the District Commission.  
13       The design of the signs shall be consistent throughout the State and  
14       prominently state “This Property has applied for an Act 250 Permit.”

15       Sec. 5. 10 V.S.A. § 6086(d) is amended to read:

16       (d) State and municipal permits.

17       (1) The District Commission shall not delay issuing a permit under this  
18       chapter on the grounds that the development or subdivision has not received  
19       one or more other required State permits or approvals; however, it may include  
20       a condition that construction may not commence until such other required  
21       permits or approvals are received.

1           (2) The Natural Resources Board ~~may by rule~~ shall allow the acceptance  
2 of a permit or permits or approval of any State agency with respect to  
3 subdivisions (a)(1) through (5) of this section or a permit or permits of a  
4 specified municipal government with respect to subdivisions (a)(1) through (7)  
5 and (9) and (10) of this section, or a combination of such permits or approvals,  
6 in lieu of evidence by the applicant. A District Commission, ~~in accordance~~  
7 ~~with rules adopted by the Board,~~ shall accept determinations issued by a  
8 development review board under the provisions of 24 V.S.A. § 4420, with  
9 respect to local Act 250 review of municipal impacts. The acceptance of such  
10 approval, positive determinations, permit, or permits shall ~~create a presumption~~  
11 constitute conclusive evidence that the application is not detrimental to the  
12 public health and welfare with respect to the specific requirement for which it  
13 is accepted. In the case of approvals and permits issued by the Agency of  
14 Natural Resources, technical determinations of the Agency shall be accorded  
15 substantial deference by the Commissions.

16           (3) The acceptance of negative determinations issued by a development  
17 review board under the provisions of 24 V.S.A. § 4420, with respect to local  
18 Act 250 review of municipal impacts, shall create a presumption that the  
19 application is detrimental to the public health and welfare with respect to the  
20 specific requirement for which it is accepted. Any determinations, positive or  
21 negative, under the provisions of 24 V.S.A. § 4420 shall create presumptions

1 only to the extent that the impacts under the criteria are limited to the  
2 municipality issuing the decision. ~~Such a rule may be revoked or amended~~  
3 ~~pursuant to the procedures set forth in 3 V.S.A. chapter 25, the Vermont~~  
4 ~~Administrative Procedure Act. The rules adopted by the Board shall not~~  
5 ~~approve the acceptance of a permit or approval of such an agency or a permit~~  
6 ~~of a municipal government unless it satisfies the appropriate requirements of~~  
7 ~~subsection (a) of this section.~~

8 Sec. 6. 10 V.S.A. § 6086(h) is added to read:

9 (h) Compliance self-certification. The District Commission may require  
10 that a person who receives a permit under this chapter report on a regular  
11 schedule to the District Commission on whether or not the person has  
12 complied with and is in compliance with the conditions required in that permit.  
13 The report shall be made on a form provided by the Board and shall be  
14 notarized and contain a self-certification to the truth of statements.

15 **Sec. 7. REPORT; MITIGATION OF PRIMARY AGRICULTURAL SOILS**

16 On or before January 15, 2025, the Department of Housing and Community  
17 Development, after consultation with the Agency of Agriculture, Food, and  
18 Markets, the Vermont Housing and Conservation Board, and members from  
19 the regional planning commissions, shall submit a report to the Senate  
20 Committee on Economic Development, Housing, and General Affairs and the  
21 House Committee on Agriculture, Food Resiliency, and Forestry



1 recommending appropriate updates to the ratios of mitigation for primary  
2 agricultural soil under 10 V.S.A. chapter 151.

3 Sec. 8. REPEALS

4 (a) 10 V.S.A. § 6081(o) and (p) are repealed.

5 (b) 30 V.S.A. § 55 (priority housing projects; stretch code) is repealed.

6 (c) 2023 Acts and Resolves No. 47, Sec. 16a (Act 250 exemption  
7 requirements) is repealed.

8 (d) 10 V.S.A. § 6001(3)(A)(iv) and 10 V.S.A. § 6081(bb) are repealed on  
9 June 30, 2029.

10 \* \* \* Municipal Zoning \* \* \*

11 Sec. 9. 24 V.S.A. § 4382 is amended to read:

12 § 4382. THE PLAN FOR A MUNICIPALITY

13 (a) A plan for a municipality shall be consistent with the goals established  
14 in section 4302 of this title and compatible with approved plans of other  
15 municipalities in the region and with the regional plan and shall include the  
16 following:

17 \* \* \*

18 (10) A housing element that shall include a recommended program for  
19 public and private actions to address housing needs and targets as identified by  
20 the regional planning commission pursuant to subdivision 4348a(a)(9) of this  
21 title. The program ~~should~~ shall use data on year-round and seasonal dwellings

1 and include specific actions to address the housing needs of persons with low  
2 income and persons with moderate income and account for permitted  
3 residential development as described in section 4412 of this title.

4 \* \* \*

5 Sec. 10. 24 V.S.A. § 4412 is amended to read:

6 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

7 Notwithstanding any existing bylaw, the following land development  
8 provisions shall apply in every municipality:

9 (1) Equal treatment of housing and required provisions for affordable  
10 housing.

11 \* \* \*

12 (D) Bylaws shall designate appropriate districts and reasonable  
13 regulations for multiunit or multifamily dwellings. No bylaw shall have the  
14 effect of excluding these multiunit or multifamily dwellings from the  
15 municipality. In any district that allows year-round residential development,  
16 duplexes shall be ~~an allowed~~ a permitted use with ~~the same~~ dimensional  
17 standards as that are not more restrictive than is required for a single-unit  
18 dwelling, including no additional land or lot area than would be required for a  
19 single-unit dwelling. In any district that is served by municipal sewer and  
20 water infrastructure that allows residential development, multiunit dwellings  
21 with four or fewer units shall be ~~a permitted use~~ on lots that are at least 1/3 of

1 an acre in size with an allowed density of up to 12 units per acre, unless that  
2 district specifically requires multiunit structures to have more than four  
3 dwelling units.

4 \* \* \*

5 (12) In any area served by municipal sewer and water infrastructure that  
6 allows residential development, bylaws shall establish lot and building  
7 dimensional standards that allow five or more dwelling units per acre for each  
8 allowed residential use, ~~and density.~~ Any lot that is smaller than one acre but  
9 granted a variance of not more than 10 percent shall be treated as one acre for  
10 the purposes of this subsection. Density and minimum lot size standards for  
11 multiunit dwellings shall not be more restrictive than those required for single-  
12 family dwellings.

13 (13) In any area served by municipal sewer and water infrastructure that  
14 allows residential development, bylaws shall permit any affordable housing  
15 development, as defined in subdivision 4303(2) of this title, including mixed-  
16 use development, to exceed density limitations for residential developments by  
17 an additional 40 percent, rounded up to the nearest whole unit, which shall  
18 include exceeding maximum height limitations by one floor, provided that the  
19 structure complies with the Vermont Fire and Building Safety Code.

20 (14) No zoning or subdivision bylaw shall have the effect of prohibiting  
21 unrelated occupants from residing in the same dwelling unit.

1 Sec. 11. 24 V.S.A. § 4413 is amended to read:

2 § 4413. LIMITATIONS ON MUNICIPAL BYLAWS

3 (a)(1) The following uses may be regulated only with respect to location,  
4 size, height, building bulk, yards, courts, setbacks, density of buildings, off-  
5 street parking, loading facilities, traffic, noise, lighting, landscaping, and  
6 screening requirements, and only to the extent that regulations do not have the  
7 effect of interfering with the intended functional use:

8 (A) State- or community-owned and -operated institutions and  
9 facilities;

10 (B) public and private schools and other educational institutions  
11 certified by the Agency of Education;

12 (C) churches and other places of worship, convents, and parish  
13 houses;

14 (D) public and private hospitals;

15 (E) regional solid waste management facilities certified under  
16 10 V.S.A. chapter 159;

17 (F) hazardous waste management facilities for which a notice of  
18 intent to construct has been received under 10 V.S.A. § 6606a; ~~and~~

19 (G) emergency shelters;

20 (H) hotels and motels converted to permanently affordable housing  
21 developments; and

1 (I) facilities used for the purpose of sheltering or housing individuals  
2 for which the State is contributing a minimum of 50 percent of the ownership  
3 or operating costs.

4 \* \* \*

5 Sec. 12. 24 V.S.A. § 4428 is added to read:

6 § 4428. PARKING BYLAWS

7 (a) Parking regulation. Consistent with section 4414 of this title and with  
8 this section, a municipality may regulate parking.

9 (b) Tandem parking. Tandem parking shall count toward residential  
10 parking space requirements. A municipality may require that tandem spaces  
11 are not shared between different dwelling units. As used in this subsection,  
12 “tandem parking” means a narrow parking space that can accommodate two or  
13 more vehicles parked in a single-file line.

14 (c) Parking space size standards. For the purpose of residential parking, a  
15 municipality shall define a standard parking space as not larger than nine feet  
16 by 18 feet, however a municipality may allow a portion of parking spaces to be  
17 smaller for compact cars or similar use. A municipality may require a larger  
18 space wherever American with Disabilities Act-compliant spaces are required.

19 (d) Existing nonconforming parking. A municipality shall allow an  
20 existing nonconforming parking space to count toward the parking requirement

1 of an existing residential building if new residential units are added to the  
2 building.

3 (e) Adjacent lots. A municipality may allow a person with a valid legal  
4 agreement for use of parking spaces in an adjacent or nearby lot to count  
5 toward the parking requirement of a residential building.

6 Sec. 13. 2023 Acts and Resolves No. 47, Sec. 1 is amended to read:

7 Sec. 1. 24 V.S.A. § 4414 is amended to read:

8 § 4414. ZONING; PERMISSIBLE TYPES OF REGULATIONS

9 \* \* \*

10 (4) Parking and loading facilities. A municipality may adopt provisions  
11 setting forth standards for permitted and required facilities for off-street  
12 parking and loading, which may vary by district and by uses within each  
13 district. In any district that is served by municipal sewer and water  
14 infrastructure that allows residential uses, a municipality shall not require more  
15 than one parking space per dwelling unit. However, a municipality may  
16 require 1.5 parking spaces for duplexes and multiunit dwellings in areas not  
17 served by sewer and water, and in areas that are located more than one-quarter  
18 mile away from public parking. The number of parking spaces shall be  
19 rounded up to the nearest whole number when calculating the total number of  
20 spaces. These bylaws may also include provisions covering the location, size,  
21 design, access, landscaping, and screening of those facilities. In determining

1 the number of parking spaces for nonresidential uses and size of parking  
2 spaces required under these regulations, the appropriate municipal panel may  
3 take into account the existence or availability of employer “transit pass” and  
4 rideshare programs, public transit routes, and public parking spaces in the  
5 vicinity of the development.

6 \* \* \*

7 Sec. 14. 2023 Acts and Resolves No. 81, Sec. 10 is amended to read:

8 Sec. 10. 2023 Acts and Resolves No. 47, Sec. 47 is amended to read:

9 Sec. 47. EFFECTIVE DATES

10 This act shall take effect on July 1, 2023, except that:

11 (1) Sec. 1 (24 V.S.A. § 4414) shall take effect on ~~December~~ July 1,  
12 2024.

13 \* \* \*

14 Sec. 15. 24 V.S.A. § 4429 is added to read:

15 § 4429. LOT COVERAGE BYLAWS

16 A municipality shall allow for a lot coverage bonus of 10 percent on lots  
17 that allow access to new or subdivided lots without road frontage.

18 Sec. 16. 24 V.S.A. § 4442 is amended to read:

19 § 4442. ADOPTION OF BYLAWS AND RELATED REGULATORY

20 TOOLS; AMENDMENT OR REPEAL

21 \* \* \*

1 (c) Routine adoption. A bylaw, bylaw amendment, or bylaw repeal shall  
2 be adopted by a majority of the members of the legislative body at a meeting  
3 that is held after the final public hearing and shall be effective 21 days after  
4 adoption ~~unless, by action of the legislative body, the bylaw, bylaw~~  
5 ~~amendment, or bylaw repeal is warned for adoption by the municipality by~~  
6 ~~Australian ballot at a special or regular meeting of the municipality.~~

7 \* \* \*

8 Sec. 17. 24 V.S.A. § 4464 is amended to read:

9 § 4464. HEARING AND NOTICE REQUIREMENTS; DECISIONS AND  
10 CONDITIONS; ADMINISTRATIVE REVIEW; ROLE OF  
11 ADVISORY COMMISSIONS IN DEVELOPMENT REVIEW

12 \* \* \*

13 (b) Decisions.

14 (1) The appropriate municipal panel may recess the proceedings on any  
15 application pending submission of additional information. The panel should  
16 close the evidence promptly after all parties have submitted the requested  
17 information. The panel shall adjourn the hearing and issue a decision within  
18 ~~45~~ 180 days after the ~~adjournment of the hearing, and failure of the panel to~~  
19 ~~issue a decision within this period shall be deemed approval and shall be~~  
20 ~~effective on the 46th day~~ complete application was submitted unless both the  
21 applicant and the panel agree to waive the deadline. Decisions shall be issued



1 in writing and shall include a statement of the factual bases on which the  
2 appropriate municipal panel has made its conclusions and a statement of the  
3 conclusions. The minutes of the meeting may suffice, provided the factual  
4 bases and conclusions relating to the review standards are provided in  
5 conformance with this subsection.

6 \* \* \*

7 Sec. 18. 24 V.S.A. § 4465 is amended to read:

8 § 4465. APPEALS OF DECISIONS OF THE ADMINISTRATIVE OFFICER

9 \* \* \*

10 (b) As used in this chapter, an “interested person” means any one of the  
11 following:

12 \* \* \*

13 (4) ~~Any 10 persons~~ A minimum of three percent, rounded up to the  
14 nearest whole person, of the most recent U.S. Census Bureau population  
15 estimate of the municipality that may or may not have participated in the  
16 proceeding or any 25 persons, who may be any combination of voters,  
17 residents, or real property owners within a municipality listed in subdivision  
18 (2) of this subsection who, by signed petition to the appropriate municipal  
19 panel of a municipality, the plan or a bylaw of which is at issue in any appeal  
20 brought under this title, allege that any relief requested by a person under this  
21 title, if granted, will not be in accord with the policies, purposes, or terms of

1 the plan or bylaw of that municipality. This petition to the appropriate  
2 municipal panel must designate one person to serve as the representative of the  
3 petitioners regarding all matters related to the appeal. For purposes of this  
4 subdivision, an appeal shall not include the character of the area affected if the  
5 project has a residential component that includes affordable housing.

6 \* \* \*

7 (d) For the purposes of this section, an appeal shall not include the  
8 following:

9 (1) Any residential and mixed-use development containing up to  
10 25 dwelling units within areas served by municipal sewer and water  
11 infrastructure.

12 (2) Any permitted residential and mixed-use development that does not  
13 require conditional use review. Development requiring conditional use review  
14 may be appealed.

15 (3) Any housing or mixed-use development located within a designated  
16 center in a zoning district that allows residential development.

17 Sec. 19. 24 V.S.A. § 4471 is amended to read:

18 § 4471. APPEAL TO ENVIRONMENTAL DIVISION

19 (a) Participation required. An interested person who has participated in a  
20 municipal regulatory proceeding authorized under this title may appeal a  
21 decision rendered in that proceeding by an appropriate municipal panel to the

1 Environmental Division, except, pursuant to subdivision 4464(b)(4) of this  
2 title, that not every person of the three percent of the population needs to have  
3 participated. Participation in a local regulatory proceeding shall consist of  
4 offering, through oral or written testimony, evidence or a statement of concern  
5 related to the subject of the proceeding. An appeal from a decision of the  
6 appropriate municipal panel, or from a decision of the municipal legislative  
7 body under subsection 4415(d) of this title, shall be taken in such manner as  
8 the Supreme Court may by rule provide for appeals from State agencies  
9 governed by 3 V.S.A. §§ 801–816, unless the decision is an appropriate  
10 municipal panel decision ~~which~~ that the municipality has elected to be subject  
11 to review on the record.

12 \* \* \*

13 Sec. 20. 10 V.S.A. § 8504 is amended to read:

14 § 8504. APPEALS TO THE ENVIRONMENTAL DIVISION

15 \* \* \*

16 (k) Limitations on appeals. Notwithstanding any other provision of this  
17 section:

18 (1) there shall be no appeal from a District Commission decision when  
19 the Commission has issued a permit and no hearing was requested or held, or  
20 no motion to alter was filed following the issuance of an administrative  
21 amendment;

1 (2) a municipal decision regarding whether a particular application  
2 qualifies for a recorded hearing under 24 V.S.A. § 4471(b) shall not be subject  
3 to appeal;

4 (3) if a District Commission issues a partial decision under subsection  
5 6086(b) of this title, any appeal of that decision must be taken within 30 days  
6 of the date of that decision; and

7 (4) it shall be the goal of the Environmental Division to hear a case  
8 regarding appeals of an appropriate municipal panel under 24 V.S.A. chapter  
9 117 within 60 days following the case being filed with the Division and issue a  
10 decision within 90 days following the close of the hearing on the case.

11 \* \* \*

12 Sec. 21. SUPERIOR COURT; POSITION; APPROPRIATION

13 (a) There is established one permanent judge in the Superior Court in fiscal  
14 year 2025.

15 (b) In fiscal year 2025, \$168,000.00 General Fund is appropriated to the  
16 Superior Court for the new judge created in subsection (a) of this section.

17 \* \* \* Downtown Tax Credits \* \* \*

18 Sec. 22. 32 V.S.A. § 5930ee is amended to read:

19 § 5930ee. LIMITATIONS

20 Beginning in fiscal year 2010 and thereafter, the State Board may award tax  
21 credits to all qualified applicants under this subchapter, provided that:

1 (1) the total amount of tax credits awarded annually, together with sales  
2 tax reallocated under section 9819 of this title, does not exceed ~~\$3,000,000.00~~  
3 \$5,000,000.00;

4 \* \* \*

5 \* \* \* New Act 250 Tiers \* \* \*

6 Sec. 23. 10 V.S.A. § 6001 is amended to read:

7 § 6001. DEFINITIONS

8 As used in this chapter:

9 \* \* \*

10 (3)(A) “Development” means each of the following:

11 \* \* \*

12 (vi) The construction of improvements for commercial, industrial,  
13 or residential use at or above the elevation of 2,500 feet or within a Tier 3 area.

14 \* \* \*

15 (xii) The construction of a road, roads, driveway, or driveways,  
16 which in combination is greater than 2,000 feet and any single road or  
17 driveway is greater than 800 feet, to provide access to or within a tract or tracts  
18 of land of more than one acre owned or controlled by a person.

19 (I) For the purposes of determining jurisdiction under this  
20 subdivision (xii), any tract or tracts of land that will be provided access by the  
21 road or driveway is involved land.

1                    (II) As used in this subdivision (xii), “road” shall include any  
2                    new road or upgrade of a Class 4 highway by a person other than a  
3                    municipality, including a road that will be transferred to or maintained by a  
4                    municipality after its construction or upgrade. For the purposes of this  
5                    subdivision (II), routine maintenance of a Class 4 highway or stormwater  
6                    improvement required pursuant to section 1264 of this title shall not constitute  
7                    an “upgrade.”

8                    (aa) Routine maintenance shall include replacing a culvert  
9                    or ditch, applying new stone, grading, or making repairs after adverse weather.

10                    (bb) Routine maintenance shall not include changing the  
11                    size of the road, changing the location or layout of the road, or adding  
12                    pavement.

13                    (III) For the purpose of determining the length under this  
14                    subdivision (xii), the length of all roads and driveways within the tract or tracts  
15                    of land constructed within any continuous period of 10 years after October 1,  
16                    2024 shall be included.

17                    (IV) This subdivision (xii) shall not apply to

18                    (aa) a road constructed for a municipal, county, or State  
19                    purpose; a utility corridor of an electric transmission or distribution company;  
20                    or a road located entirely within a designated **area**; or

1                    (bb) a road used primarily for farming or forestry purposes  
2 unless used for residential purpose.

3                    \* \* \*

4                    (50) “Tier 1A” means an area as defined by the Board and mapped by a  
5 municipality’s maps.

6                    (51) “Tier 1B” means an area as defined by the Board and mapped by a  
7 municipality’s maps.

8                    (52) “Tier 2” means an area as defined by the Board and mapped by a  
9 municipality’s maps.

10                    (53) “Tier 3” means an area as defined by the Board and mapped by the  
11 regional land use maps, that contains ecologically important natural resources.

12                    Sec. 24. 10 V.S.A. § 6032 is added to read:

13                    § 6032. DESIGNATION OF TIERS 1, 2, AND 3

14                    (a) On or before December 15, 2024, the Board shall submit to the General  
15 Assembly proposed definitions for the Tiers. These definitions shall address  
16 the need for a healthy vacancy rate and the conservation goals established in 10  
17 V.S.A. chapter 89. In developing the definitions, the Board shall conduct a  
18 public engagement process with a focus on engaging renters, unhoused  
19 persons, and historically marginalized groups to hear input and receive  
20 feedback on the proposed Tiers.

1       **(b)** On or before October 1, 2025, the Board shall adopt **guidance on** the  
2 process for **designating Tiers 1, 2, and 3**. The guidance shall at a minimum  
3 include provisions for the following:

4           (1) Municipalities develop the application for **designation** and proposed  
5 maps of the areas and submit it to the regional planning commission for  
6 comment and approval. The regional planning commission shall then review  
7 the proposal to ensure it is consistent with the regional plan, and provide  
8 additional technical input and advice as needed to improve the application.

9           (2) If the regional planning commission concurs with the municipality’s  
10 application, the municipality would submit the application to the Board for  
11 approval. During this review, the regional planning commission’s concurrence  
12 would create a presumption that the application is consistent with the regional  
13 plan

14           (3) If the regional planning commission raises objections to the  
15 municipality’s application, the municipality may choose to rework the  
16 application and resubmit it to the regional planning commission or go ahead  
17 and submit the application for review by the Board without regional planning  
18 commission approval. In the later instance, the municipality would have to  
19 demonstrate to the Board that the application is consistent with the regional  
20 plan and explain why it chose not to rework its application.



1           (4) The Board would oversee a public review process, provide  
2           opportunities for comment, and then issue a determination on the application.

3           (5) There shall be a process **before the Board** for **challenging**  
4           designation decisions at the time of the certification or recertification.

5           (c) The Board’s guidance shall establish qualifications for Tier 1, which  
6           shall at a minimum include:

7           (1) A municipal plan that is approved in accordance with 24 V.S.A.  
8           § 4350.

9           (2) Municipal flood hazard planning, applicable to the entire  
10           municipality, in accordance with 24 V.S.A. § 4382(12) and the guidelines  
11           issued by the Department pursuant to 24 V.S.A. § 2792(d).

12           (3) Flood hazard and river corridor bylaws, applicable to the entire  
13           municipality, that are consistent with the standards established pursuant to  
14           subsection 755(b) of this title (flood hazard) and subsection 1428(b) of this  
15           title (river corridor).

16           (4) Permanent zoning and subdivision bylaws that do not include broad  
17           exemptions that exclude significant private or public land development either  
18           from requiring a municipal land use permit or from development entirely.

19           (5) Permitted water and wastewater systems with the capacity to support  
20           additional development within the planned growth area. The municipality  
21           shall have adopted consistent policies, by municipal plan and ordinance, on the

1 allocation, connection, and extension of water and wastewater lines that  
2 include a defined service area to support the planned growth area.

3 (6) The applicable regional plan has been approved by the Board.

4 (d) On or before October 1, 2025, the Board shall adopt guidance  
5 establishing the process for designating transportation corridors. The guidance  
6 shall at a minimum include provisions for the following:

7 (1) A definition of transportation corridor that includes the area within  
8 100 feet of a class 2 or class 3 highway that is served by municipal sewer and  
9 water infrastructure.

10 (2) Municipalities develop the application for designation of a  
11 transportation corridor and proposed maps of the area and submit it to the  
12 regional planning commission for comment and approval. The regional  
13 planning commission shall then review the proposal to ensure it is consistent  
14 with the regional plan and provide additional technical input and advice as  
15 needed to improve the application.

16 (3) A regional planning commission may apply for designation of a  
17 transportation corridor that spans multiple municipalities.

18 (e) On or before October 1, 2025, the Board shall adopt guidance  
19 establishing the process for designating Tier 3 areas. The rules shall at a  
20 minimum include provisions for the following:

1           (1) Each respective regional planning commission would recommend a  
2           mapping process for identifying Tier 3 areas. This shall include a process for  
3           reviewing existing maps, such as Vermont Conservation Design and other  
4           available science-based resources, a process for public comment, and  
5           authorization of a statewide board to review and approve Tier 3 designations.

6           (2) Each regional planning commission would be primarily responsible  
7           for conducting the mapping, in consultation with municipalities, based on  
8           consistent and robust standards, and with additional resources and technical  
9           support from the State. The regional planning commissions would submit their  
10           maps to the Board for approval through a public process, with opportunities for  
11           public comment and appeal. Municipalities shall have an opportunity to  
12           challenge the regional planning commission’s proposed maps if they disagree  
13           with the regional planning commission’s determinations.

14           (f) The regional planning commissions shall conduct an environmental  
15           justice analysis to determine if the costs and benefits of the Tiers are  
16           distributed equitably within municipalities and the region.

17           (g) On or before December 1, 2026, the Board shall adopt the necessary  
18           maps of Tiers.

19           Sec. 25. 24 V.S.A. § 4382 is amended to read:

20           § 4382. THE PLAN FOR A MUNICIPALITY

1 (a) A plan for a municipality shall be consistent with the goals established  
2 in section 4302 of this title and compatible with approved plans of other  
3 municipalities in the region and with the regional plan and shall include the  
4 following:

5 \* \* \*

6 (2) A land use plan, which shall consist of a map and statement of  
7 present and prospective land uses, that:

8 \* \* \*

9 (C) Identifies those areas, if any, proposed for designation under  
10 chapter 76A of this title or 10 V.S.A. § 6032, together with, for each area  
11 proposed for designation, an explanation of how the designation would further  
12 the plan’s goals and the goals of section 4302 of this title; and how the area  
13 meets the requirements for the type of designation to be sought.

14 \* \* \*

15 Sec. 26. 10 V.S.A. § 6081 is amended to read:

16 § 6081. PERMITS REQUIRED; EXEMPTIONS

17 \* \* \*

18 (z) Tier exemptions.

19 (1) Notwithstanding any other provision of this chapter to the contrary,  
20 no permit or permit amendment is required for any subdivision, development,

1 or change to an existing project that is located entirely within a Tier 1A area  
2 designated under section 6032 of this chapter.

3 (2) Notwithstanding any other provision of this chapter to the contrary,  
4 no permit or permit amendment is required for 75 units or fewer of housing  
5 located entirely within a Tier 1B area or transportation corridor designated  
6 under section 6032 of this chapter.

7 (3) Upon receiving notice and a copy of the permit issued by an  
8 appropriate municipal panel pursuant to 24 V.S.A. § 4460(f), a previously  
9 issued permit for a development or subdivision located in a planned growth  
10 area shall remain attached to the property. However, neither the Board nor the  
11 Agency of Natural Resources shall enforce the permit or assert amendment  
12 jurisdiction on the tract or tracts of land unless the designation is revoked or  
13 the municipality has not taken any action to enforce the conditions of the  
14 permit.

15 \* \* \* Taxes \* \* \*

16 Sec. 27. 32 V.S.A. § 9602 is amended to read:

17 § 9602. TAX ON TRANSFER OF TITLE TO PROPERTY

18 A tax is hereby imposed upon the transfer by deed of title to property  
19 located in this State, or a transfer or acquisition of a controlling interest in any  
20 person with title to property in this State. The amount of the tax equals one

1 and one-quarter percent of the value of the property transferred, or \$1.00,  
2 whichever is greater, except as follows:

3 (1) With respect to the transfer of property to be used for the principal  
4 residence of the transferee, the tax shall be imposed at the rate of five-tenths of  
5 one percent of the first \$100,000.00 in value of the property transferred and at  
6 the rate of one and one-quarter percent of the value of the property transferred  
7 in excess of \$100,000.00; except that no tax shall be imposed on the first  
8 ~~\$110,000.00~~ **\$150,000.00** in value of the property transferred if the purchaser  
9 obtains a purchase money mortgage funded in part with a homeland grant  
10 through the Vermont Housing and Conservation Trust Fund or that the  
11 Vermont Housing and Finance Agency or U.S. Department of Agriculture and  
12 Rural Development has committed to make or purchase; and tax at the rate of  
13 one and one-quarter percent shall be imposed on the value of that property in  
14 excess of ~~\$110,000.00~~ **\$150,000.00**.

15 \* \* \*

16 (4) With respect to the transfer of residential property that will not be  
17 used as the principal residence of the transferee, and for which the transferee  
18 will not be required to provide a landlord certificate pursuant to section 6069  
19 of this title, the tax shall be imposed at the rate of two and one-half percent of  
20 the value of the property transferred.

21 Sec. 28. 10 V.S.A. § 312 is amended to read:

1 § 312. CREATION OF VERMONT HOUSING AND CONSERVATION

2 TRUST FUND

3 There is created a special fund in the State Treasury to be known as the  
4 “Vermont Housing and Conservation Trust Fund.” The Fund shall be  
5 administered by the Board and expenditures therefrom shall only be made to  
6 implement and effectuate the policies and purposes of this chapter. The Fund  
7 shall be ~~comprised~~ composed of 60 percent of the revenue collected under  
8 32 V.S.A. § 9602(a)(4), 50 percent of the revenue from the property transfer  
9 tax under 32 V.S.A. chapter 234 all other subdivisions of 32 V.S.A. § 9602(a),  
10 and any monies from time to time appropriated to the Fund by the General  
11 Assembly or received from any other source, private or public, approved by  
12 the Board. Unexpended balances and any earnings shall remain in the Fund  
13 for use in accord with the purposes of this chapter.

14 Sec. 29. 24 V.S.A. § 4306(a) is amended to read:

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

18 (2) The Fund shall be composed of 23.5 percent of the revenue collected  
19 under 32 V.S.A. § 9602(a)(4), 17 percent of the revenue from the property  
20 transfer tax under 32 V.S.A. chapter 234 all other subdivisions of 32 V.S.A.  
21 § 9602 (a), and any monies from time to time appropriated to the Fund by the

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

4 (3) Of the revenues in the Fund, each year:

5 (A) 10 percent shall be disbursed to the Vermont Center for  
6 Geographic Information;

7 (B) 70 percent shall be disbursed to the Secretary of Commerce and  
8 Community Development for performance contracts with regional planning  
9 commissions to provide regional planning services pursuant to section 4341a  
10 of this title; and

11 (C) 20 percent shall be disbursed to municipalities.

12 Sec. 30. 32 V.S.A. § 435(b) shall be amended to read:

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

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

16 (2) [Repealed.]

17 (3) [Repealed.]

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

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

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



1           (7) 69 percent of the meals and rooms taxes levied pursuant to chapter  
2 225 of this title;

3           (8) [Repealed.]

4           (9) [Repealed.]

5           (10) 16.5 percent of the revenue collected under subdivision 9602(a)(4)  
6 of this title, 33 percent of the revenue from ~~the property transfer taxes levied~~  
7 ~~pursuant to chapter 231 of this title~~ all other subdivisions of 9602(a) of this  
8 title, and the revenue from the gains taxes levied each year pursuant to chapter  
9 236 of this title; and

10          (11) [Repealed.]

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

14 Sec. 31. 32 V.S.A. § 9610 is amended to read:

15 § 9610. REMITTANCE OF RETURN AND TAX; INSPECTION OF

16 RETURNS

17 \* \* \*

18          (c) Prior to distributions of property transfer tax revenues under 10 V.S.A.  
19 § 312, 24 V.S.A. § 4306(a), and subdivision 435(b)(10) of this title, two  
20 percent of the revenues received from the property transfer tax shall be

1 deposited in a special fund in the Department of Taxes for Property Valuation  
2 and Review administration costs.

3 (d)(1) Prior to any distribution of property transfer tax revenue under 10  
4 V.S.A. § 312, 24 V.S.A. § 4306(a), subdivision 435(b)(10) of this title, and  
5 ~~subsection~~ subsections (c) and (e) of this section, \$2,500,000.00 of the revenue  
6 received from the property transfer tax shall be transferred to the Vermont  
7 Housing Finance Agency to pay the principal of and interest due on the bonds,  
8 notes, and other obligations authorized to be issued by the Agency pursuant to  
9 10 V.S.A. § 621(22), the proceeds of which the Vermont Housing and  
10 Conservation Board shall use to create affordable housing pursuant to 10  
11 V.S.A. § 314.

12 (2) As long as the bonds, notes, and other obligations incurred pursuant  
13 to subdivision (1) of this subsection remain outstanding, the rate of tax  
14 imposed pursuant to section 9602 of this title shall not be reduced below a rate  
15 estimated, at the time of any reduction, to generate annual revenues of at least  
16 \$12,000,000.00.

17 (e) Prior to any distribution of property transfer tax revenue under 10  
18 V.S.A. § 312, 24 V.S.A. § 4306(a), subdivision 435(b)(10) of this title, and  
19 subsection (c) of this section, \$2,000,000.00 of the revenue received from the  
20 property transfer tax shall be transferred to the Act 250 Permit Fund  
21 established under 10 V.S.A. § 6029. Prior to a transfer under this subsection,

1 the Commissioner shall adjust the amount transferred according to the percent  
2 change in the Bureau of Labor Statistics Consumer Price Index for All Urban  
3 Consumers (CPI-U) by determining the increase or decrease, to the nearest  
4 one-tenth of a percent, for the month ending on June 30 in the calendar year  
5 one year prior to the first day of the fiscal year for which the transfer will be  
6 made compared to the CPI-U for the month ending on June 30 in the calendar  
7 year two years prior to the first day of the fiscal year for which the transfer will  
8 be made.

9 Sec. 32. 10 V.S.A. § 6029 is amended to read:

10 § 6029. ACT 250 PERMIT FUND

11 There is hereby established a special fund to be known as the Act 250  
12 Permit Fund for the purposes of implementing the provisions of this chapter.  
13 ~~Revenues to the fund~~ The Fund shall be composed of the revenue deposited  
14 pursuant to 32 V.S.A. § 9610(e), those fees collected in accordance with  
15 section 6083a of this title, gifts, appropriations, and copying and distribution  
16 fees. The Board shall be responsible for the Fund and shall account for  
17 revenues and expenditures of the Board. At the Commissioner's discretion, the  
18 Commissioner of Finance and Management may anticipate amounts to be  
19 collected and may issue warrants based thereon for the purposes of this section.  
20 Disbursements from the Fund shall be made through the annual appropriations  
21 process to the Board and to the Agency of Natural Resources to support those

1 programs within the Agency that directly or indirectly assist in the review of  
2 Act 250 applications. This Fund shall be administered as provided in 32  
3 V.S.A. chapter 7, subchapter 5.

4 Sec. 33. 32 V.S.A. § 3800(q) is added to read:

5 (q) The statutory purpose of the exemption under 32 V.S.A. chapter 125,  
6 subchapter 3 for new construction or rehabilitation is to lower the cost of new  
7 construction or rehabilitation of residential properties in this State.

8 Sec. 34. 32 V.S.A. chapter 125, subchapter 3 is added to read:

9 Subchapter 3. New Construction or Rehabilitation Exemption

10 § 3870. DEFINITIONS

11 As used in this subchapter:

12 (1) “Agency” means the Agency of Commerce and Community  
13 Development as established under 3 V.S.A. § 2402.

14 (2) “Appraisal value” has the same meaning as in subdivision  
15 3481(1)(A) of this title.

16 (3) “Exemption period” has the same meaning as in subsection 3871(d)  
17 of this subchapter.

18 (4) “New construction” means the building of new dwellings.

19 (5) “Principal residence” means the dwelling occupied by a resident  
20 individual as the individual’s domicile during the taxable year and for a

1 property owner, owned, or for a renter, rented under a rental agreement other  
2 than a short-term rental as defined under 18 V.S.A. § 4301(a)(14).

3 (6)(A) “Qualifying improvement” means new construction or a physical  
4 change to an existing dwelling or other structure beyond normal and ordinary  
5 maintenance, painting, repairs, or replacements, provided the change:

6 (i) results in new or rehabilitated dwellings that are designed to be  
7 occupied as principal residences and not as short-term rentals as defined under  
8 18 V.S.A. § 4301(a)(14); and

9 (ii) occurred through new construction, rehabilitation, or both  
10 during the 12 months immediately preceding or immediately following  
11 submission of an exemption application under this subchapter.

12 (B) “Qualifying improvement” does not mean new construction or a  
13 physical change to any portion of a mixed-use building as defined under  
14 10 V.S.A. § 6001(28) that is not used as a principal residence.

15 (7)(A) “Qualifying property” means a structure that is:

16 (i) located within a designated downtown district, village center,  
17 or neighborhood development area determined pursuant to 24 V.S.A. chapter  
18 76A or a new market tax credit area determined pursuant to 26 U.S.C. § 45D,  
19 or both;

20 (ii) composed of one or more dwellings designed to be occupied  
21 as principal residences, provided:

1                   (I) none of the dwellings shall be occupied as short-term rentals  
2                   as defined under 18 V.S.A. § 4301(a)(14) before the exemption period ends;

3                   and

4                   (II) a structure with more than one dwelling shall only qualify  
5                   if it meets the definition of mixed-income housing under 10 V.S.A.

6                   § 6001(27);

7                   (iii) undergoing, has undergone, or will undergo qualifying  
8                   improvements; and

9                   (iv) in compliance with all relevant permitting requirements.

10                  (B) “Qualifying property” may have a mixed use as defined under  
11                  10 V.S.A. § 6001(28).

12                  (C) “Qualifying property” does not mean property located within a  
13                  tax increment financing district established under 24 V.S.A. chapter 53,  
14                  subchapter 5.

15                  (8) “Rehabilitation” means extensive repair, reconstruction, or  
16                  renovation of an existing dwelling or other structure, with or without  
17                  demolition, new construction, or enlargement, provided the repair,  
18                  reconstruction, or renovation:

19                  (A) is for the purpose of eliminating substandard structural, housing,  
20                  or unsanitary conditions or stopping significant deterioration of the existing  
21                  structure; and

1           (B) equals or exceeds a total cost of 15 percent of the grand list value  
2           prior to repair, reconstruction, or renovation or \$75,000.00, whichever is less.

3           (9) “Taxable value” means the value of qualifying property that is taxed  
4           during the exemption period.

5           § 3871. EXEMPTION

6           (a) Value increase exemption. An increase in the appraisal value of a  
7           qualifying property due to qualifying improvements shall be exempted from  
8           property taxation pursuant to this subchapter by fixing and maintaining the  
9           taxable value of the qualifying property at the property’s grand list value in the  
10           year immediately preceding any qualifying improvements. A decrease in  
11           appraisal value of a qualifying property due to damage or destruction from fire  
12           or act of nature may reduce the qualifying property’s taxable value below the  
13           value fixed under this subsection.

14           (b) State education property tax exemption. The appraisal value of  
15           qualifying improvements to qualifying property shall be exempt from the State  
16           education property tax imposed under chapter 135 of this title as provided  
17           under this subchapter. The appraisal value exempt under this subsection shall  
18           not be exempt from municipal property taxation unless the qualifying property  
19           is located in a municipality that has voted to approve an exemption under  
20           subsection (c) of this section.

1        (c) Municipal property tax exemption. If the legislative body of a  
2        municipality by a majority vote recommends, the voters of a municipality may,  
3        at an annual or special meeting warned for that purpose, adopt by a majority  
4        vote of those present and voting an exemption from municipal property tax for  
5        the value of qualifying improvements to qualifying property exempt from State  
6        property taxation under subsection (b) of this section. The municipal  
7        exemption shall remain in effect until rescinded in the same manner the  
8        exemption was adopted. Not later than 30 days after the adjournment of a  
9        meeting at which a municipal exemption is adopted or rescinded under this  
10       subsection, the town clerk shall report to the Director of Property Valuation  
11       and Review and the Agency the date on which the exemption was adopted or  
12       rescinded.

13       (d) Exemption period.

14       (1) An exemption under this subchapter shall start in the first property  
15       tax year immediately following the year in which an application for exemption  
16       under section 3872 of this title is approved and one of the following occurs:

17                (A) issuance of a certificate of occupancy by the municipal governing  
18        body for the qualifying property; or

19                (B) the property owner's declaration of ownership of the qualifying  
20        property as a homestead pursuant to section 5410 of this title.



1           (2) An exemption under this subchapter shall remain in effect for five  
2           years, provided the property continues to comply with the requirements of this  
3           subchapter. When the exemption period ends, the property shall be taxed at its  
4           most recently appraised grand list value.

5           (3) The municipal exemption period for a qualifying property shall start  
6           and end at the same time as the State exemption period; provided that, if a  
7           municipality first votes to approve a municipal exemption after the State  
8           exemption period has already started for a qualifying property, the municipal  
9           exemption shall only apply after the vote and notice requirements have been  
10          met under subsection (c) of this section and shall only continue until the State  
11          exemption period ends.

12          § 3872. ADMINISTRATION AND CERTIFICATION

13          (a) To be eligible for exemption under this subchapter, a property owner  
14          shall:

15               (1) submit an application to the Agency of Commerce and Community  
16               Development in the form and manner determined by the Agency, including  
17               certification by the property owner that the property and improvements qualify  
18               for exemption at the time of application and annually thereafter until the  
19               exemption period ends; and

20               (2) the certification shall include an attestation under the pains and  
21               penalties of perjury that the property will be used in the manner provided under

1 this subchapter during the exemption period, including occupancy of dwellings  
2 as principal residences and not as short-term rentals as defined under 18 V.S.A.  
3 § 4301(a)(14), and that the property owner will either provide alternative  
4 housing for tenants at the same rent or that the property has been unoccupied  
5 either by a tenant’s choice or for 60 days prior to the application. A  
6 certification by the property owner granted under this subdivision shall:

7 (A) be coextensive with the exemption period;

8 (B) require notice to the Agency of the transfer or assignment of the  
9 property prior to transfer, which shall include the transferee’s or assignee’s full  
10 names, phone numbers, and e-mail and mailing addresses;

11 (C) require notice to any prospective transferees or assignees of the  
12 property of the requirements of the exemption under this subchapter; and

13 (D) require a new certification to be signed by the transferees or  
14 assignees of the property.

15 (b) The Agency shall establish and make available application forms and  
16 procedures necessary to verify initial and ongoing eligibility for exemption  
17 under this subchapter. Not later than 60 days after receipt of a completed  
18 application, the Agency shall determine whether the property and any proposed  
19 improvements qualify for exemption and shall issue a written decision  
20 approving or denying the exemption. The Agency shall notify the property

1 owner, the municipality where the property is located, and the Commissioner  
2 of Taxes of its decision.

3 (c) If the property owner fails to use the property according to the terms of  
4 the certification, the Agency shall, after notifying the property owner,  
5 determine whether to revoke the exemption. If the exemption is revoked, the  
6 Agency shall notify the property owner, the municipality where the property is  
7 located, and the Commissioner of Taxes. Upon notification of revocation, the  
8 Commissioner shall assess to the property owner:

9 (1) all State and municipal property taxes as though no exemption had  
10 been approved, including for any exemption period that had already begun;  
11 and

12 (2) interest pursuant to section 3202 of this title on previously exempt  
13 taxes.

14 (d) No new applications for exemption shall be approved pursuant to this  
15 subchapter after December 31, 2027.

16 Sec. 35. 32 V.S.A. § 4152(a) is amended to read:

17 (a) When completed, the grand list of a town shall be in such form as the  
18 Director prescribes and shall contain such information as the Director  
19 prescribes, including:

20 \* \* \*

1 (6) For those parcels that are exempt, the insurance replacement value  
2 reported to the local assessing officials by the owner under section 3802a of  
3 this title or what the full listed value of the property would be absent the  
4 exemption and the statutory authority for granting such exemption and, for  
5 properties exempt pursuant to a vote, the year in which the exemption became  
6 effective and the year in which the exemption ends; provided that, for parcels  
7 exempt under chapter 125, subchapter 3 of this title, the insurance replacement  
8 value shall not be substituted for the full listed value of the property absent the  
9 exemption and the grand list shall indicate whether the exemption applies to  
10 the State property tax or both the State and municipal property taxes.

11 \* \* \*

12 Sec. 36. REPEALS; NEW CONSTRUCTION OR REHABILITATION  
13 EXEMPTION

14 The following are repealed on July 1, 2037:

15 (1) 32 V.S.A. § 3800(q) (statutory purpose); and

16 (2) 32 V.S.A. chapter 125, subchapter 3 (new construction or  
17 rehabilitation exemption).

18 Sec. 37. 32 V.S.A. § 4152(a) is amended to read:

19 (a) When completed, the grand list of a town shall be in such form as the  
20 Director prescribes and shall contain such information as the Director  
21 prescribes, including:

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\* \* \*

(6) For those parcels that are exempt, the insurance replacement value reported to the local assessing officials by the owner under section 3802a of this title or what the full listed value of the property would be absent the exemption and the statutory authority for granting such exemption and, for properties exempt pursuant to a vote, the year in which the exemption became effective and the year in which the exemption ends; ~~provided that, for parcels exempt under chapter 125, subchapter 3 of this title, the insurance replacement value shall not be substituted for the full listed value of the property absent the exemption and the grand list shall indicate whether the exemption applies to the State property tax or both the State and municipal property taxes.~~

Sec. 38. 32 V.S.A. § 9603 is amended to read:

§ 9603. EXEMPTIONS

The following transfers are exempt from the tax imposed by this chapter:

\* \* \*

(27)(A) Transfers of blighted dwellings that the transferee certifies will be rehabilitated for occupancy as principal residences and not as short-term rentals as defined under 18 V.S.A. § 4301(a)(14), provided the rehabilitation is completed and occupied not later than three years after the date of the transfer. If, three years after the date of transfer, the rehabilitation has not been

1 completed and occupied, then the tax imposed by this chapter shall become  
2 due.

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

4 (i) “Blighted” means substandard structural or housing conditions,  
5 including unsanitary and unsafe dwellings and deterioration sufficient to  
6 constitute a threat to human health, safety, and public welfare.

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

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

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

17 Sec. 39. 32 V.S.A. § 5811(21)(C) is amended to read:

18 (C) decreased by the following exemptions and deductions:

19 \* \* \*

20 (iv) an amount equal to the itemized deduction for medical  
21 expenses taken at the federal level by the taxpayer, under 26 U.S.C. § 213:

1                    ~~(H)~~ minus the amount of the Vermont standard deduction and  
2 Vermont personal exemptions taken by the taxpayer under this subdivision  
3 ~~(C); and~~

4                    ~~(H)~~ minus any amount deducted at the federal level that is  
5 attributable to the payment of an entrance fee or recurring monthly payment  
6 made to a continuing care retirement community regulated under 8 V.S.A.  
7 chapter 151, which exceeds the deductibility limits for premiums paid during  
8 the taxable year on qualified long-term care insurance contracts under 26  
9 U.S.C. 213(d)(10)(A).

10                   \* \* \* Housing Programs \* \* \*

11 Sec. 40. 10 V.S.A. § 699 is amended to read:

12 § 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

13 (a) Creation of Program.

14 (1) The Department of Housing and Community Development shall  
15 design and implement the Vermont Rental Housing Improvement Program,  
16 through which the Department shall award funding to statewide or regional  
17 nonprofit housing organizations, or both, to provide competitive ~~grants and~~  
18 forgivable loans to private landlords for the rehabilitation, including  
19 weatherization and accessibility improvements, of eligible rental housing units.

1 (2) The Department shall develop statewide standards for the Program,  
2 including factors that partner organizations shall use to evaluate applications  
3 and award ~~grants and~~ forgivable loans.

4 (3) A landlord shall not offer a unit created through the Program as a  
5 short-term rental, as defined in 18 V.S.A. § 4301, for the period a grant or loan  
6 agreement is in effect.

7 (4) The Department may utilize a reasonable percentage of  
8 appropriations made to the Department for the Program to administer the  
9 Program.

10 (5) The Department may cooperate with and subgrant funds to State  
11 agencies and political subdivisions and public and private organizations in  
12 order to carry out the purposes of this subsection.

13 (b) Eligible rental housing units. The following units are eligible for a  
14 ~~grant or~~ forgivable loan through the Program:

15 (1) Non-code compliant.

16 (A) The unit is an existing unit, whether or not occupied, that does  
17 not comply with the requirements of applicable building, housing, or health  
18 laws.

19 (B) If the unit is occupied, the ~~grant or~~ forgivable loan agreement  
20 shall include terms:

21 \* \* \*



1 (d) Program requirements applicable to grants and forgivable loans.

2 (1)(A) A ~~grant or~~ loan shall not exceed:

3 (i) \$70,000.00 per unit, for any unit converted from commercial to  
4 residential purposes; or

5 (ii) \$50,000.00 per unit, for any other eligible rental housing unit.

6 (B) In determining the amount of a ~~grant or~~ loan, a housing  
7 organization shall consider the number of bedrooms in the unit and whether the  
8 unit is being rehabilitated or newly created.

9 \* \* \*

10 (e) Program requirements applicable to grants and five-year forgivable  
11 loans. For a grant or five-year forgivable loan awarded through the Program,  
12 the following requirements apply for a minimum period of five years:

13 \* \* \*

14 (4)(A) A landlord may convert a grant to a forgivable loan upon  
15 approval of the Department and the housing organization that approved the  
16 grant.

17 (B) A landlord who converts a grant to a forgivable loan shall receive  
18 a ~~10 percent~~ prorated credit for loan forgiveness for each year in which the  
19 landlord participates in the ~~grant~~ program.

1 (f) Requirements applicable to 10-year forgivable loans. For a 10-year  
2 forgivable loan awarded through the Program, the following requirements  
3 apply for a minimum period of 10 years:

4 \* \* \*

5 Sec. 41. VERMONT RENTAL HOUSING IMPROVEMENT

6 APPROPRIATION

7 The sum of \$5,000,000.00 is appropriated from the General Fund to the  
8 Department of Housing and Community Development in fiscal year 2025 for  
9 the Vermont Housing Improvement Program established in 10 V.S.A. § 699.

10 Sec. 42. HEALTHY HOMES INITIATIVE APPROPRIATION

11 The sum of \$1,000,000.00 is appropriated from the General Fund to the  
12 Department of Environmental Conservation in fiscal year 2025 for the Healthy  
13 Homes Initiative.

14 Sec. 43. 2023 Acts and Resolves No. 47, Sec. 36 is amended to read:

15 Sec. 36. MIDDLE-INCOME HOMEOWNERSHIP DEVELOPMENT  
16 PROGRAM

17 \* \* \*

18 (d) The total amount of subsidies for a project shall not exceed 35 percent  
19 of eligible development costs, as determined by the Agency, ~~which the~~ at the  
20 time of approval of the project, unless the Agency later determines that the  
21 project will not result in affordable owner-occupied housing for income-

1 eligible homebuyers without additional subsidy, in which case the Agency  
2 may, at its discretion, reasonably exceed this limitation and only to the extent  
3 required to achieve affordable owner-occupied housing. The Agency may  
4 shall allocate subsidies consistent with the following:

5 (1) Developer subsidy. The Agency may provide a direct subsidy to the  
6 developer, which shall not exceed the difference between the cost of  
7 development and the market value of the home as completed.

8 (2) Affordability subsidy. Of any remaining amounts available for the  
9 project after the developer subsidy, the Agency may provide a subsidy for the  
10 benefit of the homebuyer to reduce the cost of purchasing the home, provided  
11 that:

12 (A) the Agency includes conditions in the subsidy; agreement or uses  
13 another legal mechanism; to ensure that, ~~to the extent the home value has risen,~~  
14 ~~the amount of the subsidy~~ upon sale of the home, to the extent proceeds are  
15 available, the amount of the affordability subsidy either:

16 (i) remains with the home to offset the cost to future homebuyers;  
17 or

18 (ii) is recaptured by the Agency upon sale of the home for use in a  
19 similar program to support affordable homeownership development; or



1 (iv) whether an application has already received an investment or  
2 is from an applicant in a community that has already received Program  
3 funding.

4 ~~(3) The Agency shall use its best efforts to ensure:~~

5 ~~(A) that investments awarded are targeted to the geographic~~  
6 ~~communities or regions with the most pressing economic and employment~~  
7 ~~needs; and~~

8 ~~(B) that the allocation of investments provides equitable access to the~~  
9 ~~benefits to all eligible geographical areas.~~

10 \* \* \*

11 Sec. 44. REPEAL

12 2023 Acts and Resolves No. 47, Sec. 37 (middle-income homeownership;  
13 implementation) is repealed.

14 **Sec. 45. APPROPRIATION; MIDDLE-INCOME HOMEOWNERSHIP**  
15 **DEVELOPMENT PROGRAM**

16 The sum of \$10,000,000.00 is appropriated from the General Fund to the  
17 Department of Housing and Community Development to grant to the Vermont  
18 Housing Finance Agency in fiscal year 2025 for the Middle-Income  
19 Homeownership Development Program established by 2022 Acts and Resolves  
20 No. 182, Sec. 11, and amended from time to time.

21 **Sec. 46. APPROPRIATION; VERMONT HOUSING CONSERVATION**

1           **BOARD; PERPETUALLY AFFORDABLE HOUSING**

2           The sum of \$40,000,000.00 is appropriated from the General Fund to the  
3           Vermont Housing Conservation Board in fiscal year 2025 for the following  
4           purposes:

5           (1) to provide support and enhance capacity for the production and  
6           preservation of affordable rental housing and homeownership units, including  
7           support for manufactured home communities, permanent homes for those  
8           experiencing homelessness, recovery residences, and housing available to farm  
9           workers and refugees; and

10           (2) to fund the construction and preservation of emergency shelter for  
11           households experiencing homelessness.

12           **Sec. 47. APPROPRIATION; RENTAL HOUSING STABILIZATION**

13           **SERVICES**

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

19           **Sec. 48. APPROPRIATION; TENANT REPRESENTATION PILOT**

20           **PROGRAM**

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

5        Sec. 49. APPROPRIATION; RENT ARREARS ASSISTANCE FUND

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

9        Sec. 50. APPROPRIATION; LANDLORD RELIEF PROGRAM

10       The sum of \$1,100,000.00 is appropriated from the General Fund to the  
11       Vermont State Housing Authority in fiscal year 2025 for the Landlord Relief  
12       Program to assist landlords eligible to access relief due to participation in the  
13       Section 8 project-based voucher program.

14       **Sec. 51. APPROPRIATION; FIRST GENERATION HOMEBUYER**  
15       **PROGRAM**

16       The sum of \$1,000,000.00 is appropriated from the General Fund to the  
17       Department of Housing and Community Development in fiscal year 2025 for a  
18       grant to the Vermont Housing Finance Agency for the First-Generation  
19       Homebuyer Program established by 2022 Acts and Resolves No. 182, Sec. 2,  
20       and amended from time to time.

21                    \* \* \* **Rental Data Collection and Protection** \* \* \*

1 Sec. 52. 32 V.S.A. § 6069 is amended to read:

2 § 6069. LANDLORD CERTIFICATE

3 (a) On or before January 31 of each year, the owner of land rented as a  
4 portion of a homestead in the prior calendar year shall furnish a certificate of  
5 rent to the Department of Taxes and to each claimant who owned a portion of  
6 the homestead and rented that land as a portion of a homestead in the prior  
7 calendar year. The certificate shall indicate the proportion of total property tax  
8 on that parcel that was assessed for municipal property tax and for statewide  
9 property tax.

10 (b) The owner of each rental property shall, on or before January 31 of each  
11 year, furnish a certificate of rent to the Department of Taxes.

12 (c) A certificate under this section shall be in a form prescribed by the  
13 Commissioner and shall include the following:

14 (1) the name of the renter;

15 (2) the address and any property tax parcel identification number of the  
16 homestead, the information required under subsection (f) of this section;

17 (3) the name of the owner or landlord of the rental unit;

18 (4) the phone number, e-mail address, and mailing address of the  
19 landlord, as available;

20 (5) the location of the rental unit;

21 (6) the type of rental unit;



- 1           (7) the number of rental units in the building;
- 2           (8) the gross monthly rent per unit;
- 3           (9) the year in which the rental unit was built;
- 4           (10) the ADA accessibility of the rental unit; and
- 5           (11) any additional information that the Commissioner determines is
- 6 appropriate.

7           (d) An owner who knowingly fails to furnish a certificate to the  
8 Department as required by this section shall be liable to the Commissioner for  
9 a penalty of \$200.00 for each failure to act. Penalties under this subsection  
10 shall be assessed and collected in the manner provided in chapter 151 of this  
11 title for the assessment and collection of the income tax.

12           (e) [Repealed.]

13           (f) Annually on or before October 31, the Department shall prepare and  
14 make available to a member of the public upon request a database in the form  
15 of a sortable spreadsheet that contains the following information for each rental  
16 unit for which the Department received a certificate pursuant to this section:

- 17           (1) name of owner or landlord;
- 18           (2) mailing address of landlord;
- 19           (3) location of rental unit;
- 20           (4) type of rental unit;
- 21           (5) number of units in building; and

1           ~~(6) School Property Account Number.~~ Annually on or before December  
2 15, the Department shall submit a report on the aggregated data collected under  
3 this section to the Senate Committee on Economic Development, Housing and  
4 General Affairs and the House Committee on General and Housing.

5 Sec. 53. 32 V.S.A. § 3102 is amended to read:

6 § 3102. CONFIDENTIALITY OF TAX RECORDS

7           (a) No present or former officer, employee, or agent of the Department of  
8 Taxes shall disclose any return or return information to any person who is not  
9 an officer, employee, or agent of the Department of Taxes except in  
10 accordance with the provisions of this section. A person who violates this  
11 section shall be fined not more than \$1,000.00 or imprisoned for not more than  
12 one year, or both; and if the offender is an officer or employee of this State, the  
13 offender shall, in addition, be dismissed from office and be incapable of  
14 holding any public office for a period of five years thereafter.

15           (b) The following definitions shall apply for purposes of this chapter:

16                                   \* \* \*

17           (3) “Return information” includes a person’s name, address, date of  
18 birth, Social Security or federal identification number or any other identifying  
19 number; information as to whether or not a return was filed or required to be  
20 filed; the nature, source, or amount of a person’s income, payments, receipts,  
21 deductions, exemptions, credits, assets, liabilities, net worth, tax liabilities, tax

1 payments, deficiencies, or over-assessments; and any other data, from any  
2 source, furnished to or prepared or collected by the Department of Taxes with  
3 respect to any person.

4 \* \* \*

5 (d) The Commissioner shall disclose a return or return information:

6 \* \* \*

7 (7) to the Joint Fiscal Office pursuant to subsection 10503(e) of this title  
8 and subject to the conditions and limitations specified in that subsection; ~~and~~

9 (8) to the Attorney General; the Data Clearinghouse established in the  
10 October 2017 Non-Participating Manufacturer Adjustment Settlement  
11 Agreement, which the State of Vermont joined in 2018; the National  
12 Association of Attorneys General; and counsel for the parties to the Agreement  
13 as required by the Agreement and to the extent necessary to comply with the  
14 Agreement and only as long as the State is a party to the Agreement; and

15 (9) annually on or before March 31, to the Division of Vermont  
16 Emergency Management at the Department of Public Safety, the Department  
17 of Housing and Community Development, and any organization then under  
18 contract with the Department of Housing and Community Development to  
19 carry out a statewide housing needs assessment, provided the disclosure relates  
20 to the information collected on the landlord certificate pursuant to subsection  
21 6069(c) of this title for the purpose of emergency management.

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\*\*\* **Short-Term Rentals** \*\*\*

**Sec. 54. 20 V.S.A. § 2676** is amended to read:

§ 2676. DEFINITION

As used in this chapter;:

(1) “~~rental~~ Rental housing” means:

(~~1~~)(A) a “premises” as defined in 9 V.S.A. § 4451 that is subject to 9

V.S.A. chapter 137 (residential rental agreements); and

(~~2~~)(B) a “short-term rental” as defined in ~~18 V.S.A. § 4301~~ and

subject to 18 V.S.A. chapter 85, subchapter 7.

(2) “Short-term rental” has the same meaning as in 18 V.S.A. § 4301.

**Sec. 55. 20 V.S.A. § 2678** is added to read:

§ 2678. SHORT-TERM RENTALS; HEALTH AND SAFETY

DISCLOSURE

(a) The Department of Public Safety’s Division of Fire Safety shall prepare

concise guidance on the rules governing health, safety, sanitation, and fitness

for habitation of short-term rentals in this State and provide the guidance to

any online platform or travel agent hosting or facilitating the offering of a

short-term rental in this State.

(b) Any online platform or travel agent hosting or facilitating the offering

of a short-term rental in this State shall make available the guidance under

subsection (a) of this section to a short-term rental operator in this State.

- 1           (c) A short-term rental operator shall:
- 2                   (1) physically post the guidance under subsection (a) of this section in a
- 3                   conspicuous place in any short-term rental offered for rent in this State; and
- 4                   (2) provide the guidance under subsection (a) of this section as part of
- 5                   any offering or listing of a short-term rental in this State.

6   \* \* \* Flood Risk Disclosure \* \* \*

7           Sec. 56. 27 V.S.A. § 380 is added to read:

8           § 380. DISCLOSURE OF INFORMATION; CONVEYANCE OF REAL

9                   ESTATE

10           (a) Prior to or as part of a contract for the conveyance of real property, the

11           seller shall provide notice to the buyer whether the property is subject to any

12           requirement under federal law to obtain and maintain flood insurance on the

13           property. This notice shall be provided in a clear and conspicuous manner in a

14           separate written document and attached as an addendum to the contract.

15           (b) The failure of the seller to provide the buyer with the information

16           required under subsection (a) of this section is grounds for the buyer to

17           terminate the contract prior to transfer of title or occupancy, whichever occurs

18           earlier.

19           (c) A buyer of real estate who fails to receive the information required to be

20           disclosed by a seller under subsection (a) of this section may bring an action to

21           recover from the seller the amount of the buyer’s damages and reasonable

1 attorney’s fees. The buyer may also seek punitive damages when the seller  
2 knowingly failed to provide the required information.

3 (d) A seller shall not be liable for damages under this section for any error,  
4 inaccuracy, or omission of any information required to be disclosed to the  
5 buyer under subsection (a) of this section when the error, inaccuracy, or  
6 omission was based on information provided by a public body or a by another  
7 person with a professional license or special knowledge who provided a  
8 written report that the seller reasonably believed to be correct and that was  
9 provided by the seller to the buyer.

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

12 Sec. 57. 9 V.S.A. § 4466 is added to read:

13 § 4466. REQUIRED DISCLOSURE

14 A landlord shall disclose in advance of entering a rental agreement with a  
15 tenant whether any portion of the premises offered for rent is located in a  
16 Federal Emergency Management Agency mapped flood hazard area. This  
17 notice shall be provided in a separate written document given to the tenant at  
18 or before execution of the lease.

19 Sec. 58. 10 V.S.A. § 6236(e) is amended to read:

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

21 \* \* \*

1           (8) Notice that the mobile home park is in a flood hazard area if any lot  
2           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 attached as an addendum to the proposed lease.

7           Sec. 59. 10 V.S.A. § 6201 is amended to read:

8           § 6201. DEFINITIONS

9           As used in this chapter, ~~unless the context requires otherwise:~~

10   \* \* \*

11           (13) “Flood hazard area” has the same meaning as in section 752 of this  
12           title.

13           (14) “Flood insurance rate map” means, for any mobile home park, the  
14           official flood insurance rate map describing that park published by the Federal  
15           Emergency Management Agency on its website.

16   \* \* \* Mobile Homes \* \* \*

17           Sec. 60. 2022 Acts and Resolves No. 182, Sec. 3, as amended by 2023 Acts  
18           and Resolves No. 3, Sec. 75 and 2023 Acts and Resolves No. 78, Sec. C.119,  
19           is further amended to read:

20           Sec. 3. MANUFACTURED HOME IMPROVEMENT AND  
21   REPLACEMENT PROGRAM

1        (a) Of the amounts available from the American Rescue Plan Act (ARPA)  
2        recovery funds, \$4,000,000 is appropriated to the Department of Housing and  
3        Community Development for the purposes specified:

4    \* \* \*

5        (b) The Department administers the Manufactured Home Improvement and  
6        Repair Program and may utilize a reasonable percentage of appropriations  
7        made to the Department for the Program to administer the Program. The  
8        Department may cooperate with and subgrant funds to State agencies and  
9        political subdivisions and public and private organizations in order to carry out  
10       the purposes of subsection (a) of this section.

11       Sec. 61. MANUFACTURED HOME IMPROVEMENT AND REPAIR  
12    PROGRAM APPROPRIATIONS; INFRASTRUCTURE; MOBILE  
13    HOME REPAIR

14        The sum of \$2,000,000.00 is appropriated from the General Fund to the  
15        Department of Housing and Community Development in fiscal year 2025 for  
16        the following purposes:

17                          (1) to improve mobile home park infrastructure under the Manufactured  
18        Home Improvement and Repair Program established by 2022 Acts and  
19        Resolves No. 182, Sec. 3, and amended from time to time; and



1           (2) to expand the Home Repair Awards program under the  
2           Manufactured Home Improvement and Repair Program established by 2022  
3           Acts and Resolves No. 182, Sec. 3, and amended from time to time.

4           Sec. 62. MOBILE HOME TECHNICAL ASSISTANCE APPROPRIATION

5           (a) The sum of \$700,000.00 is appropriated from the General Fund to the  
6           Department of Housing and Community Development for a subgrant to the  
7           Champlain Valley Office of Economic Opportunity in fiscal year 2025 to fund  
8           the Mobile Home Park Technical Assistance Services Team, including  
9           administration and direct project administration costs, such as advertising,  
10           background check fees, office supplies, postage, staff mileage liability  
11           insurance, training, service contracts, rent, utilities, telephone, space  
12           maintenance, and staffing.

13           (b) The sum of \$300,000.00 is appropriated from the General Fund to the  
14           Department of Housing and Community Development for a subgrant to the  
15           Champlain Valley Office of Economic Opportunity in fiscal year 2025 to fund  
16           individual resident emergency grants accessible to all income-eligible mobile  
17           homeowners statewide to prevent loss of housing, remediate unsafe housing,  
18           enhance housing safety, health, and habitability issues, and provide relief from  
19           the impacts of natural disaster.

\*\*\* Age-Restricted Housing \*\*\*

Sec. 63. 10 V.S.A. § 325c is added to read:

§ 325c. AGE-RESTRICTED HOUSING; RIGHT OF FIRST REFUSAL

(a) Definitions. As used in this section:

(1) “Age-restricted property” means a privately owned, age-restricted residential property that is not a licensed-care facility.

(2) “Eligible buyer” means a non-profit housing provider.

(b)(1) Right of first refusal; assignment to eligible buyer. The Vermont Housing and Conservation Board shall have a right of first refusal for age-restricted properties as set out in this section. The Board may assign this right to an eligible buyer.

(2) For any offer made under this section, the Board or its assignee shall contractually commit to maintaining any affordability requirements in place for the age-restricted property at the time of sale.

(c) Content of notice. An owner of age-restricted property shall give to the Board notice by certified mail, return receipt requested, of the owner’s intention to sell the age-restricted property. The requirements of this section shall not be construed to restrict the price at which the owner offers the age-restricted housing for sale. The notice shall state all the following:

(1) that the owner intends to sell the age-restricted property;

1           (2) the price, terms, and conditions under which the owner offers the  
2           age-restricted property for sale;

3           (3) that for 60 days following the notice, the owner shall not make a  
4           final unconditional acceptance of an offer to purchase the age-restricted  
5           property and that if within the 60 days the owner receives notice pursuant to  
6           subsection (d) of this section that the Board or its assignee intends to consider  
7           purchase of the age-restricted property, the owner shall not make a final  
8           unconditional acceptance of an offer to purchase the age-restricted property for  
9           an additional 120 days, starting from the 61st day following notice, except one  
10          from the Board or its assignee.

11          (d) Intent to negotiate; timetable. The Board or its assignee shall have 60  
12          days following notice under subsection (c) of this section in which to  
13          determine whether the buyer intends to consider purchase of the age-restricted  
14          property. During this 60-day period, the owner shall not accept a final  
15          unconditional offer to purchase the age-restricted property.

16          (e) Response to notice; required action. If the owner receives no notice  
17          from the Board or its assignee during the 60-day period or if the Board notifies  
18          the owner that neither it nor its designee intends to consider purchase of the  
19          age-restricted property, the owner has no further restrictions regarding sale of  
20          the age-restricted property pursuant to this section. If, during the 60-day  
21          period, the owner receives notice in writing that the Board or its assignee

1 intends to consider purchase of the age-restricted property, then the owner  
2 shall do all the following:

3 (1) not accept a final unconditional offer to purchase from a party other  
4 than the Board or its assignee giving notice under subsection (d) of this section  
5 for 120 days following the 60-day period, a total of 180 days following the  
6 notice under subsection (c);

7 (2) negotiate in good faith with the Board or its assignee giving notice  
8 under subsection (d) of this section; and

9 (3) consider any offer to purchase from the Board or its assignee giving  
10 notice under subsection (d) of this section.

11 (f) Exceptions. The provisions of this section do not apply when the sale,  
12 transfer, or conveyance of the age-restricted property is any one or more of the  
13 following:

14 (1) through a foreclosure sale;

15 (2) to a member of the owner's family or to a trust for the sole benefit of  
16 members of the owner's family;

17 (3) among the partners who own the age-restricted property;

18 (4) incidental to financing the age-restricted property;

19 (5) between joint tenants or tenants in common;

20 (6) pursuant to eminent domain; or

21 (7) pursuant to a municipal tax sale.

1           (g) Requirement for new notice of intent to sell.

2           (1) Subject to subdivision (2) of this subsection, a notice of intent to sell  
3 issued pursuant to subsection (b) of this section shall be valid:

4           (A) for a period of one year from the expiration of the 60-day period  
5 following the date of the notice; or

6           (B) if the owner has entered into a binding purchase and sale  
7 agreement with the Board or its assignee within one year from the expiration of  
8 the 60-day period following the date of the notice, until the completion of the  
9 sale of the age-restricted property under the agreement or the expiration of the  
10 agreement, whichever is sooner.

11           (2) During the period in which a notice of intent to sell is valid, an  
12 owner shall provide a new notice of intent to sell, consistent with the  
13 requirements of subsection (b) of this section, prior to making an offer to sell  
14 the age-restricted property or accepting an offer to purchase the age-restricted  
15 property that is either more than five percent below the price for which the  
16 age-restricted property was initially offered for sale or less than five percent  
17 above the final written offer from the Board or its assignee.

18           (h) “Good faith.” The Board or its assignee shall negotiate in good faith  
19 with the owner for purchase of the age-restricted property.

20           Sec. 64. 10 V.S.A. § 325d is added to read:

21           § 325d. AGE-RESTRICTED HOUSING; RENT INCREASE; NOTICE

1       (a) An owner of subsidized age-restricted housing within the State shall  
2       provide written notification on a form provided by the Department of Housing  
3       and Community Development to the Board and all the affected residents of any  
4       rent increase not later than 60 days before the effective date of the proposed  
5       increase. The notice shall include all the following:

6             (1) the amount of the proposed rent increase;

7             (2) the effective date of the increase;

8             (3) a copy of the resident’s rights pursuant to this section; and

9             (4) the percentage of increase from the current base rent.

10       (b) If the owner fails to notify either the residents or the Board of a rent  
11       increase as required by subsection (a) of this section, the proposed rent  
12       increase shall be ineffective and unenforceable.

13                             \* \* \* **Reports and Studies** \* \* \*

14       Sec. 65. LAND BANK **REPORT**

15       (a) The Department of Housing and Community Development and the  
16       Vermont League of Cities and Towns shall analyze the feasibility of a land  
17       bank program that would identify, acquire, and restore to productive use  
18       vacant, abandoned, contaminated, and distressed properties. The Department  
19       and the League shall engage with local municipalities, regional organizations,  
20       community organizations, and other stakeholders to explore:

1           (1) existing authority for public interest land acquisition for  
2           redevelopment and use;

3           (2) successful models and best practices for land bank programs in  
4           Vermont and other jurisdictions, including local, regional, nonprofit, state, and  
5           hybrid approaches that leverage the capacities of diverse communities and  
6           organizations within Vermont;

7           (3) potential benefits and challenges to creating and implementing a  
8           land bank program in Vermont;

9           (4) alternative approaches to State and municipal land acquisition,  
10          including residual value life estates and eminent domain, for purposes of  
11          revitalization and emergency land management, including for placement of  
12          trailers and other temporary housing;

13          (5) funding mechanisms and resources required to establish and operate  
14          a land bank program; and

15          (6) the legal and regulatory framework required to govern a State land  
16          bank program.

17          (b) On or before December 15, 2024, the Department of Housing and  
18          Community Development and the Vermont League of Cities and Towns shall  
19          submit a report to the Senate Committee on Economic Development, Housing  
20          and General Affairs and the House Committee on General and Housing with

1 its findings and recommendations, including proposed draft legislation for the  
2 establishment and operation of a land bank.

3 Sec. 66. RENT PAYMENT REPORTING **REPORT**

4 (a) To facilitate the development of a pilot program for housing providers  
5 to report tenant rent payments for inclusion in consumer credit reports, the  
6 Office of the State Treasurer shall study:

7 (1) any entities currently facilitating landlord credit reporting;

8 (2) the number of landlords in Vermont utilizing rent payment software,  
9 related software expenses, and the need for or benefit of utilizing software for  
10 positive pay reporting;

11 (3) the impacts on tenants from rent payment reporting programs,  
12 including, if feasible, data gathered from the Champlain Housing Trust's  
13 program;

14 (4) any logistical steps the State must take to facilitate the program and  
15 any associated administrative costs; and

16 (5) any other issues the Treasurer deems appropriate for facilitating the  
17 development of the pilot program.

18 (b) On or before December 15, 2024, the Treasurer shall submit a report to  
19 the Senate Committee on Economic Development, Housing and General  
20 Affairs with its findings and recommendations, which may be in the form of  
21 proposed legislation.



1       Sec. 67. LANDLORD-TENANT LAW; STUDY COMMITTEE; REPORT

2           (a) Creation. There is created the Landlord-Tenant Law Study Committee  
3       to review and consider modernizing the landlord-tenant laws and evictions  
4       processes in Vermont.

5           (b) Membership. The Committee is composed of the following members:

6           (1) three current members of the House of Representatives, not all from  
7       the same political party, who shall be appointed by the Speaker of the House;

8           (2) three current members of the Senate, not all from the same political  
9       party, who shall be appointed by the Committee on Committees;

10          (3) a representative of Vermont Legal Aid with experience defending  
11       tenants in evictions actions;

12          (4) a representative of the Vermont Landlords Association;

13          (5) a representative of the Department of Housing and Community  
14       Development; and

15          (6) a representative of the Judiciary.

16          (c) Powers and duties. The Committee shall study issues with Vermont's  
17       landlord-tenant laws and current evictions process, including the following  
18       issues:

19          (1) whether Vermont's landlord-tenant laws require modernization;

20          (2) the impact of evictions policies on rental housing availability;

1           (3) whether current termination notice periods and evictions processing  
2           timelines reflect the appropriate balance between landlord and tenant interests;

3           (4) practical obstacles to the removal of unlawful occupants; and

4           (5) whether existing bases for termination are properly utilized,  
5           including specifically 9 V.S.A. § 4467(b)(2) (termination for criminal activity,  
6           illegal drug activity, or acts of violence).

7           (d) Assistance. For purposes of scheduling meetings and preparing  
8           recommended legislation, the Committee shall have the assistance of the  
9           Office of Legislative Operations and the Office of Legislative Counsel.

10          (e) Report. On or before December 15, 2024, the Committee shall report to  
11          the Senate Committee on Economic Development, Housing and General  
12          Affairs with its findings and any recommendations for legislative action, which  
13          may be in the form of proposed legislation.

14          (f) Meetings.

15               (1) The ranking member of the Senate shall call the first meeting of the  
16               Committee to occur on or before August 31, 2024.

17               (2) The Committee shall select a chair from among its members at the  
18               first meeting.

19               (3) A majority of the membership shall constitute a quorum.

20               (4) The Committee shall cease to exist upon submission of its findings  
21               and any recommendations for legislative action.

1       (g) Compensation and reimbursement.

2               (1) For attendance at meetings during adjournment of the General  
3       Assembly, a legislative member of the Committee serving in the member’s  
4       capacity as a legislator shall be entitled to per diem compensation and  
5       reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than  
6       6 meetings.

7               (2) Other members of the Committee shall be entitled to per diem  
8       compensation and reimbursement of expenses as permitted under 32 V.S.A.  
9       § 1010 for not more than 6 meetings

10              (3) Payments to members of the Committee authorized under this  
11       subsection shall be made from monies appropriated to the General Assembly.

12                                      \* \* \* Effective Dates \* \* \*

13       Sec. 68. EFFECTIVE DATES

14              (a) This section shall take effect on passage.

15              (b) Sec. 26 (10 V.S.A. § 6081) shall take effect on October 1, 2025.

16              (c) Notwithstanding 1 V.S.A. § 214, Sec. 39 (medical expenses deduction)  
17       shall take effect retroactively on January 1, 2024 and shall apply to taxable  
18       years beginning on and after January 1, 2024.

19              (d) Sec. 35 (grand list contents, 32 V.S.A. § 4152(a)) shall take effect on  
20       July 1, 2037.

21              (e) All other sections shall take effect on July 1, 2024.

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(Committee vote: \_\_\_\_\_)

\_\_\_\_\_

Senator \_\_\_\_\_

FOR THE COMMITTEE