

1 Introduced by Senate Committee on Economic Development and Housing and
2 General Affairs

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; land use; housing; Act 250

6 Statement of purpose of bill as introduced: This bill proposes to make multiple
7 changes related to housing, including land use planning, Act 250, municipal
8 zoning, taxes, and housing incentives and programs.

9 An act relating to bringing everyone home

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

11 Sec. 1. SHORT TITLE

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

13 * * * Act 250 * * *

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

15 § 6001. DEFINITIONS

16 As used in this chapter:

17 * * *

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

19 * * *

1 (iv)(I) The construction of housing projects such as cooperatives,
2 condominiums, or dwellings, or construction or maintenance of mobile homes
3 or mobile home parks, with ~~40~~ 75 or more units, constructed or maintained on
4 a tract or tracts of land, located within a municipality with permanent zoning
5 and subdivision bylaws, in an area served by municipal sewer and water
6 infrastructure as defined by 24 V.S.A. § 4303, and owned or controlled by a
7 person, ~~within a radius of five miles of any point on any involved land and~~
8 within any continuous period of ~~five~~ two years. ~~However:~~

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

11 ~~(aa) [Repealed.]~~

12 ~~(bb) [Repealed.]~~

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

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

17 ~~(ee) [Repealed.]~~

18 ~~(ff) Notwithstanding subdivisions (cc) through (ee) of this~~
19 ~~subdivision (3)(A)(iv)(I), 10 or more if the construction involves the~~
20 ~~demolition of one or more buildings that are listed on or eligible to be listed on~~
21 ~~the State or National Register of Historic Places. However, demolition shall~~

1 ~~not be considered to create jurisdiction under this subdivision (ff) if the~~
2 ~~Division for Historic Preservation has determined that the proposed demolition~~
3 ~~will have no adverse effect, will have no adverse effect if specified conditions~~
4 ~~are met, or will have an adverse effect that will be adequately mitigated. Any~~
5 ~~imposed conditions shall be enforceable through a grant condition, deed~~
6 ~~covenant, or other legally binding document.~~

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

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

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~~(xi) Notwithstanding any other provision of law to the contrary, until July 1, 2026, the construction of housing projects such as cooperatives, condominiums, dwellings, or mobile homes, with 25 or more units, constructed or maintained on a tract or tracts of land, located entirely within a designated downtown development district, a designated neighborhood development area, a designated village center with permanent zoning and subdivision bylaws, or a designated growth center, owned or controlled by a person, within a radius of five miles of any point on any involved land and within any continuous period of five years. For purposes of this subsection, the construction of four units or fewer of housing in an existing structure shall only count as one unit towards the total number of units.~~

* * *

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

* * *

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

~~(II) If the construction of a priority housing project in this subdivision (3)(D)(viii) involves demolition of one or more buildings that are listed or eligible to be listed on the State or National Register of Historic Places, this exemption shall not apply unless the Division for Historic~~

1 ~~Preservation has made the determination described in subdivision (A)(iv)(I)(ff)~~
2 ~~of this subdivision (3) and any imposed conditions are enforceable in the~~
3 ~~manner set forth in that subdivision.~~

4 ~~(H) Notwithstanding any other provision of law to the~~
5 ~~contrary, until July 1, 2026, the construction of a priority housing project~~
6 ~~located entirely within a designated downtown development district,~~
7 ~~designated neighborhood development area, or a designated growth center.~~
8 Hotels and motels converted to permanently affordable housing developments
9 as defined in 24 V.S.A. § 4303(2).

10 * * *

11 (35) ~~“Priority housing project” means a discrete project located on a~~
12 ~~single tract or multiple contiguous tracts of land that consists exclusively of~~
13 ~~mixed income housing or mixed use, or any combination thereof, and is~~
14 ~~located entirely within a designated downtown development district,~~
15 ~~designated new town center, designated growth center, or designated~~
16 ~~neighborhood development area under 24 V.S.A. chapter 76A.~~

17 * * *

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

19 § 6081. PERMITS REQUIRED; EXEMPTIONS

20 * * *

1 (d) State and municipal permits.

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

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

1 (3) The acceptance of negative determinations issued by a development
2 review board under the provisions of 24 V.S.A. § 4420, with respect to local
3 Act 250 review of municipal impacts, shall create a presumption that the
4 application is detrimental to the public health and welfare with respect to the
5 specific requirement for which it is accepted. Any determinations, positive or
6 negative, under the provisions of 24 V.S.A. § 4420 shall create presumptions
7 only to the extent that the impacts under the criteria are limited to the
8 municipality issuing the decision. ~~Such a rule may be revoked or amended~~
9 ~~pursuant to the procedures set forth in 3 V.S.A. chapter 25, the Vermont~~
10 ~~Administrative Procedure Act. The rules adopted by the Board shall not~~
11 ~~approve the acceptance of a permit or approval of such an agency or a permit~~
12 ~~of a municipal government unless it satisfies the appropriate requirements of~~
13 ~~subsection (a) of this section.~~

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

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

21 Sec. 7. 10 V.S.A. § 6093 is amended to read:

1 § 6093. MITIGATION OF PRIMARY AGRICULTURAL SOILS

2 (a) Mitigation for loss of primary agricultural soils. Suitable mitigation for
3 the conversion of primary agricultural soils necessary to satisfy subdivision
4 6086(a)(9)(B)(iv) of this title shall depend on where the project tract is located.

5 (1) Project located in certain designated areas. This subdivision applies
6 to projects located in the following areas designated under 24 V.S.A. chapter
7 76A: a downtown development district, a growth center, a new town center
8 ~~designated on or before January 1, 2014~~, and a neighborhood development area
9 ~~associated with a designated downtown development district~~. If the project
10 tract is located in one of these designated areas, an applicant who complies
11 with subdivision 6086(a)(9)(B)(iv) of this title shall deposit an offsite
12 mitigation fee into the Vermont Housing and Conservation Trust Fund
13 established under section 312 of this title for the purpose of preserving primary
14 agricultural soils of equal or greater value with the highest priority given to
15 preserving prime agricultural soils as defined by the U.S. Department of
16 Agriculture. Any required offsite mitigation fee shall be derived by:

17 (A) Determining the number of acres of primary agricultural soils
18 affected by the proposed development or subdivision.

19 (B) Multiplying the number of affected acres of primary agricultural
20 soils by a factor resulting in a ratio established as follows:

1 (i) For development or subdivision within a designated area
2 described in this subdivision (a)(1), the ratio shall be 1:1.

3 (ii) For residential construction that has a density of at least eight
4 units of housing per acre, of which at least eight units per acre or at least
5 40 percent of the units, on average, in the entire development or subdivision,
6 whichever is greater, meets the definition of affordable housing established in
7 this chapter, no mitigation shall be required, regardless of location in or outside
8 a designated area described in this subdivision (a)(1). However, all affordable
9 housing units shall be subject to housing subsidy covenants, as defined in
10 27 V.S.A. § 610, that preserve their affordability for a period of 99 years or
11 longer. As used in this section, housing that is rented shall be considered
12 affordable housing when its inhabitants have a gross annual household income
13 that does not exceed 60 percent of the county median income or 60 percent of
14 the standard metropolitan statistical area income if the municipality is located
15 in such an area.

16 (iii) For an alternative or community wastewater system that will
17 serve development within a designated area, no mitigation shall be required.

18 * * *

19 Sec. 8. REPEALS

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

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

1 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

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

4 (1) Equal treatment of housing and required provisions for affordable
5 housing.

6 * * *

7 (D) Bylaws shall designate appropriate districts and reasonable
8 regulations for multiunit or multifamily dwellings. No bylaw shall have the
9 effect of excluding these multiunit or multifamily dwellings from the
10 municipality. In any district that allows year-round residential development,
11 duplexes shall be ~~an allowed~~ a permitted use with ~~the same~~ dimensional
12 standards as that are no more restrictive than is required for a single-unit
13 dwelling, including no additional land or lot area than would be required for a
14 single-unit dwelling. In any district that is served by municipal sewer and
15 water infrastructure that allows residential development, multiunit dwellings
16 with four or fewer units shall be ~~a permitted use~~ permitted on lots that are at
17 least 1/3 of an acre in size with an allowed density of up to twelve units per
18 acre, unless that district specifically requires multiunit structures to have more
19 than four dwelling units.

20 * * *

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

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

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

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

19 § 4413. LIMITATIONS ON MUNICIPAL BYLAWS

20 (a)(1) The following uses may be regulated only with respect to location,
21 size, height, building bulk, yards, courts, setbacks, density of buildings, off-

1 street parking, loading facilities, traffic, noise, lighting, landscaping, and
2 screening requirements, and only to the extent that regulations do not have the
3 effect of interfering with the intended functional use:

4 (A) State- or community-owned, and -operated institutions and or
5 facilities;

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

8 (C) churches and other places of worship, convents, and parish
9 houses;

10 (D) public and private hospitals;

11 (E) regional solid waste management facilities certified under
12 10 V.S.A. chapter 159;

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

15 (G) emergency shelters; and

16 (H) hotels and motels converted to permanently affordable housing
17 developments.

18 * * *

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

2 § 4428. PARKING BYLAWS

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

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

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

15 (d) Existing nonconforming parking. A municipality shall allow an
16 existing nonconforming parking space to count toward the parking requirement
17 of an existing residential building if new residential units are added to the
18 building.

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

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

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

3 § 4414. ZONING; PERMISSIBLE TYPES OF REGULATIONS

4 * * *

5 (4) Parking and loading facilities. A municipality may adopt provisions
6 setting forth standards for permitted and required facilities for off-street
7 parking and loading, which may vary by district and by uses within each
8 district. In any district that is served by municipal sewer and water
9 infrastructure that allows residential uses, a municipality shall not require more
10 than one parking space per dwelling unit. However, a municipality may
11 require 1.5 parking spaces for duplexes and multiunit dwellings in areas not
12 served by sewer and water, and in areas that are located more than one-quarter
13 mile away from public parking. The number of parking spaces shall be
14 rounded up to the nearest whole number when calculating the total number of
15 spaces. These bylaws may also include provisions covering the location, size,
16 design, access, landscaping, and screening of those facilities. In determining
17 the number of parking spaces for nonresidential uses and size of parking
18 spaces required under these regulations, the appropriate municipal panel may
19 take into account the existence or availability of employer “transit pass” and
20 rideshare programs, public transit routes, and public parking spaces in the
21 vicinity of the development.

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

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

Sec. 47. EFFECTIVE DATES

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

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

* * *

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

§ 4429. LOT COVERAGE BYLAWS

(a) A municipality shall allow for lot coverage of at least 50 percent in areas served by municipal water and sewer infrastructure.

(b) A municipality shall allow for a lot coverage bonus of 20 percent on lots that allow access to new or subdivided lots without road frontage.

(c) A municipality shall approve a lot that does not comply with required lot coverage if lots for new housing are created through subdivision in areas served by municipal water and sewer infrastructure.

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

§ 4442. ADOPTION OF BYLAWS AND RELATED REGULATORY

TOOLS; AMENDMENT OR REPEAL

* * *

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 **complete** application was
19 **submitted unless both the applicant and the panel agree to waive the deadline,**
20 **and failure of the panel to issue a decision within this period shall be deemed**
21 **approval and shall be effective on the 46th day.** Decisions shall be issued in

1 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 which 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 25
10 dwelling units within areas served by municipal sewer and water infrastructure.

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

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

16 **Sec. 19. 10 V.S.A. § 4471 is amended to read:**

17 § 4471. APPEAL TO ENVIRONMENTAL DIVISION

18 (a) Participation required. An interested person who has participated in a
19 municipal regulatory proceeding authorized under this title may appeal a
20 decision rendered in that proceeding by an appropriate municipal panel to the
21 Environmental Division, **except, pursuant to subdivision 4464(b)(4), that not**

1 every person of the three percent of the population needs to have participated.

2 Participation in a local regulatory proceeding shall consist of offering, through
3 oral or written testimony, evidence or a statement of concern related to the
4 subject of the proceeding. An appeal from a decision of the appropriate
5 municipal panel, or from a decision of the municipal legislative body under
6 subsection 4415(d) of this title, shall be taken in such manner as the Supreme
7 Court may by rule provide for appeals from State agencies governed by 3
8 V.S.A. §§ 801-816, unless the decision is an appropriate municipal panel
9 decision which the municipality has elected to be subject to review on the
10 record.

11 * * *

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

13 § 8504. APPEALS TO THE ENVIRONMENTAL DIVISION

14 * * *

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

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

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 in or within a Tier 3
14 area.

15 * * *

16 (xii) The construction of a road, roads, driveway, or driveways,
17 which in combination is greater than 2,000 feet, to provide access to or within
18 a tract or tracts 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 (x), 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 (x), “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, the length of all roads and driveways within the tract or tracts of
15 land constructed within any continuous period of 10 years after October 1,
16 2024 shall be included.

17 (IV) This subdivision (x) 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 in a designated downtown or neighborhood
21 development area.

1 Commission for comment and approval. The Regional Planning Commission
2 shall then review the proposal to ensure it is consistent with the regional plan,
3 and provide additional technical input and advice as needed to improve the
4 application.

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

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

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

19 (5) There shall be a process for challenging and appealing designation
20 decisions at the time of the certification or re- certification.

1 (6) Municipalities that apply for Tier 1 designated areas, but do not
2 succeed, may subsequently re-apply.

3 (7) Municipalities that have designated areas approved for Tier 1B
4 status can later apply for designating the areas Tier 1A. Municipalities can
5 modify their approved plans and re-apply.

6 (8) Tier 1A or 1B area designation shall be reviewed and re-certified
7 every 8 years.

8 (b) The Board’s rules shall establish qualifications for Tier 1A and Tier 1B,
9 which shall at a minimum include:

10 (1) A municipal plan that is approved in accordance with 24 V.S.A.
11 § 4350.

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

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

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

1 (5) Permitted water and wastewater systems with the capacity to support
2 additional development within the planned growth area. The municipality
3 shall have adopted consistent policies, by municipal plan and ordinance, on the
4 allocation, connection, and extension of water and wastewater lines that
5 include a defined service area to support the planned growth area.

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

9 (7) The applicable regional plan has been approved by the Board.

10 (8) Tier 1A shall additional requirements.

11 (c) On or before October 1, 2025, the Board shall adopt rules establishing
12 the process for designating transportation corridors. The rules shall at a
13 minimum include provisions for the following:

14 (1) A definition of transportation corridor that includes the area within
15 100 feet of a class 2 or class 3 highway that is served by municipal sewer and
16 water infrastructure.

17 (1) Municipalities develop the application for designation of a
18 transportation corridor and proposed maps of the area and submit it to the
19 regional planning commission for comment and approval. The regional
20 planning commission shall then review the proposal to ensure it is consistent

1 with the regional plan, and provide additional technical input and advice as
2 needed to improve the application.

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

5 (d) On or before October 1, 2025, the Board shall adopt rules establishing
6 the process for designating Tier 3 areas. The rules shall at a minimum include
7 provisions for the following:

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

13 (2) Each regional planning commission would be primarily responsible
14 for conducting the mapping, in consultation with municipalities, based on
15 consistent and robust standards, and with additional resources and technical
16 support from the state. The regional planning commissions would submit their
17 maps to the Board for approval through a public process, with opportunities for
18 public comment and appeal. Municipalities shall have an opportunity to
19 oppose or appeal the regional planning commission’s proposed maps if they
20 disagree with the regional planning commission’s determinations.

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

2 § 6081. PERMITS REQUIRED; EXEMPTIONS

3 * * *

4 (z) Tier exemptions.

5 (1) Notwithstanding any other provision of this chapter to the contrary,
6 no permit or permit amendment is required for any subdivision, development,
7 or change to an existing project that is located entirely within a Tier 1A area
8 designated under section 6032 of this chapter.

9 (2) Notwithstanding any other provision of this chapter to the contrary,
10 no permit or permit amendment is required for 50 units or fewer of housing
11 located entirely within a Tier 1B area or transportation corridor designated
12 under section 6032 of this chapter.

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

21 * * * Taxes * * *

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

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

7 § 312. CREATION OF VERMONT HOUSING AND CONSERVATION
8 TRUST FUND

9 There is created a special fund in the State Treasury to be known as the
10 “Vermont Housing and Conservation Trust Fund.” The Fund shall be
11 administered by the Board and expenditures therefrom shall only be made to
12 implement and effectuate the policies and purposes of this chapter. The Fund
13 shall be comprised of 60 percent of the revenue collected under subdivision
14 9602(a)(4) of title 32, 50 percent of the revenue from the property transfer tax
15 ~~under 32 V.S.A. chapter 231~~ all other subdivisions of 9602(a) of title 32, and
16 any monies from time to time appropriated to the Fund by the General
17 Assembly or received from any other source, private or public, approved by
18 the Board. Unexpended balances and any earnings shall remain in the Fund for
19 use in accord with the purposes of this chapter.

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

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

4 (2) The Fund shall be composed of 23.5 percent of the revenue collected
5 under subdivision 9602(a)(4) of title 32, 17 percent of the revenue from ~~the~~
6 ~~property transfer tax under 32 V.S.A. chapter 231~~ all other subdivisions of
7 9602(a) of title 32, and any monies from time to time appropriated to the Fund
8 by the General Assembly or received from any other source, private or public.

9 All balances at the end of any fiscal year shall be carried forward and remain in
10 the Fund. Interest earned by the Fund shall be deposited in the Fund.

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

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

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

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

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

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

- 1 (1) alcoholic beverage tax levied pursuant to 7 V.S.A. chapter 15;
- 2 (2) [Repealed.]
- 3 (3) [Repealed.]
- 4 (4) corporate income and franchise taxes levied pursuant to chapter 151
- 5 of this title;
- 6 (5) individual income taxes levied pursuant to chapter 151 of this title;
- 7 (6) all corporation taxes levied pursuant to chapter 211 of this title;
- 8 (7) 69 percent of the meals and rooms taxes levied pursuant to chapter
- 9 225 of this title;
- 10 (8) [Repealed.]
- 11 (9) [Repealed.]
- 12 (10) 16.5 percent of the revenue collected under subdivision 9602(a)(4)
- 13 of title 32, 33 percent of the revenue from the property transfer taxes levied
- 14 pursuant to chapter 231 of this title all other subdivisions of 9602(a) of title 32,
- 15 and the revenue from the gains taxes levied each year pursuant to chapter 236
- 16 of this title; and
- 17 (11) [Repealed.]
- 18 (12) all other revenues accruing to the State not otherwise required by
- 19 law to be deposited in any other designated fund or used for any other
- 20 designated purpose.
- 21 Sec. 31. 32 V.S.A. § 5811(21)(C) is amended to read:

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

2 * * *

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

5 ~~(H)~~ minus the amount of the Vermont standard deduction and
6 Vermont personal exemptions taken by the taxpayer under this subdivision
7 ~~(C); and~~

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

14 * * * Housing Programs * * *

15 Sec. 32. 10 V.S.A. § 699 is amended to read:

16 § 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

17 (a) Creation of Program.

18 (1) The Department of Housing and Community Development shall
19 design and implement the Vermont Rental Housing Improvement Program,
20 through which the Department shall award funding to statewide or regional
21 nonprofit housing organizations, or both, to provide competitive ~~grants and~~

1 forgivable loans to private landlords for the rehabilitation, including
2 weatherization and accessibility improvements, of eligible rental housing units.

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

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

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

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

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

17 (1) Non-code compliant.

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

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

3 * * *

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

5 (1) A ~~grant or~~ loan shall not exceed ~~\$50,000.00~~ \$70,000.00 per unit. In
6 determining the amount of a ~~grant or~~ loan, a housing organization shall
7 consider the number of bedrooms in the unit, ~~and~~ whether the unit is being
8 rehabilitated or newly created, and whether any rehabilitation or creation is for
9 commercial conversion purposes.

10 * * *

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

14 * * *

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

18 (B) A landlord who converts a grant to a forgivable loan shall receive
19 a ~~10 percent~~ prorated credit for loan forgiveness for each year in which the
20 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. 33. 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. 34. 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. 35. 2023 Acts and Resolves No. 47, Sec. 36 is amended to read:

15 MIDDLE-INCOME HOMEOWNERSHIP DEVELOPMENT PROGRAM

16 * * *

17 (d) The total amount of subsidies for a project shall not exceed 35 percent
18 of eligible development costs, as determined by the Agency, ~~which the~~ at the
19 time of approval of the project, unless the Agency later determines that the
20 project will not result in affordable owner-occupied housing for income-
21 eligible homebuyers without additional subsidy, in which case the Agency may

1 reasonably exceed this limitation and only to the extent required to achieve
2 affordable owner-occupied housing. The Agency ~~may~~ shall allocate subsidies
3 consistent with the following:

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

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

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

15 (i) remains with the home to offset the cost to future homebuyers;

16 or

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

19 (B) the subsidy is subject to a housing subsidy covenant, as defined
20 in 27 V.S.A. § 610, that preserves the affordability of the home for a period of
21 99 years or longer.

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

8 * * *

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

14 (1) name of owner or landlord;

15 (2) phone number, e-mail address, and mailing address of landlord, as
16 available;

17 (3) location of rental unit;

18 (4) type of rental unit;

19 (5) number of units in building; ~~and~~

20 (6) School Property Account Number;:

21 (7) year built;

1 (8) accessibility of rental unit; and

2 (9) any other information the Department deems appropriate.

3 (g) Annually on or before December 15, the Department shall submit a

4 report on the aggregated data collected under this section to the Senate

5 Committee on Economic Development, Housing and General Affairs and the

6 House Committee on General and Housing.

7 (h) Within three days after a State declaration of a state of emergency under

8 20 V.S.A. chapter 1, a federal emergency declaration covering any portion of

9 the State, or reliable notice that the State is under imminent threat of an

10 emergency, whichever is earliest, the Department shall provide any data

11 compiled from the certificates received under this section to the Division of

12 Vermont Emergency Management at the Department of Public Safety and any

13 other appropriate State department or agency. The Department shall be

14 deemed to have satisfied the requirements of this subsection if it has provided

15 the data as required under this subsection within the 30 days preceding the

16 emergency declaration.

17 (i) Any data obtained under this section shall be protected pursuant to 1

18 V.S.A. § 317(c)(2) and may only be released to specifically designated persons

19 who, in the discretion of the Department, shall use such data to further the

20 public good. Data obtained under this section may not be disclosed to entities

21 for the purposes of solicitation campaigns without express authority granted by

1 the Department. Data about a specific unit may be disclosed to the owner or
2 operator of the rental unit.

3 * * * Short-Term Rental Safety Regulation * * *

4 Sec. 40. 18 V.S.A. § 4303 is amended to read:

5 § 4303. RULEMAKING

6 (a) The Commissioner shall adopt rules pursuant to 3 V.S.A. chapter 25 to
7 establish minimum standards for the safe and sanitary operation of food or
8 lodging establishments, ~~or~~ children’s camps, short-term rentals, or any
9 combination thereof and for their administration and enforcement. The rules
10 shall require that an establishment or short-term rental be constructed,
11 maintained, and operated with strict regard for the health of the employees and
12 the public pursuant to the following general requirements:

13 * * *

14 (6) There shall be proper operation and maintenance of pools, recreation
15 water facilities, spas, and related facilities within lodging establishments and
16 short-term rentals.

17 (7) The Commissioner may adopt any other minimum conditions
18 deemed necessary for the operation and maintenance of a food or lodging
19 establishment or short-term rental in a safe and sanitary manner.

20 * * *

21 Sec. 41. 18 V.S.A. § 4468 is amended to read:

1 § 4468. EDUCATIONAL MATERIALS; COMPLAINTS

2 (a) The Department of Health, in collaboration with the Department of
3 Public Safety’s Division of Fire Safety, shall prepare a packet of information
4 pertaining to the health, safety, and financial obligations of short-term rental
5 operators, including information regarding the importance of reviewing options
6 for property and liability insurance with the operator’s insurance company.

7 (b) Included with the information packet set forth in subsection (a) of this
8 section shall be a ~~self~~-certification form pertaining to health and safety
9 precautions that short-term rental operators must take into consideration prior
10 to renting a unit. ~~The form shall be retained by the operator and need not be~~
11 ~~filed with the Department.~~ A short-term rental operator shall file the form with
12 the Department and shall make the form available to a renter upon request.

13 (c) A renter of a short-term rental may file a complaint with the Department
14 of Public Safety’s Division of Fire Safety if the renter believes the short-term
15 rental is in violation of the health and safety standards set forth in the
16 information packet provided under subsection (a) of this section.

17 (d) If a complaint issued under subsection (c) of this section results in an
18 inspection for a short-term rental, the Commissioner shall give consideration in
19 any hearing or order under section 4307 of this title to whether the operator of
20 the short-term rental disclosed any potential health or safety violations under

1 this chapter in the certification form filed with the Department under
2 subsection (b) of this section.

3 * * * Flood Risk Disclosure * * *

4 Sec. 42. 27 V.S.A. § 380 is added to read:

5 § 380. DISCLOSURE OF INFORMATION; CONVEYANCE OF REAL
6 ESTATE

7 (a) Prior to or as part of a contract for the conveyance of real property, the
8 seller shall provide notice to the buyer whether the property is subject to any
9 requirement under federal law to obtain and maintain flood insurance on the
10 property. This notice shall be provided in a clear and conspicuous manner in a
11 separate written document and attached as an addendum to the contract.

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

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

1 area according to the flood insurance rate map effective for the mobile home
2 park at the time the proposed lease is furnished to a prospective leaseholder.
3 This notice shall be provided in a clear and conspicuous manner in a separate
4 written document attached as an addendum to the proposed lease.

5 Sec. 45. 10 V.S.A. § 6201 is amended to read:

6 § 6201. DEFINITIONS

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

8 * * *

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

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

14 * * * Mobile Homes * * *

15 Sec. 46. 2022 Acts and Resolves No. 182, Sec. 3, as amended by 2023 Acts
16 and Resolves No. 3, Sec. 75 and 2023 Acts and Resolves No. 78, Sec. C.119,
17 is further amended to read:

18 Sec. 3. MANUFACTURED HOME IMPROVEMENT AND
19 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. 47. MANUFACTURED HOME IMPROVEMENT AND REPAIR

12 PROGRAM APPROPRIATIONS; INFRASTRUCTURE; MOBILE
13 HOME REPAIR

14 (a) The sum of \$1,000,000.00 is appropriated from the General Fund to the
15 Department of Housing and Community Development in fiscal year 2025 for
16 improvements to mobile home park infrastructure under the Manufactured
17 Home Improvement and Repair Program established by 2022 Acts and
18 Resolves No. 182, Sec. 3, and amended from time to time.

19 (b) The sum of \$1,000,000.00 is appropriated from the General Fund to the
20 Department of Housing and Community Development in fiscal year 2025 for
21 expanding the Home Repair Awards program under the Manufactured Home

1 Improvement and Repair Program established by 2022 Acts and Resolves No.
2 182, Sec. 3, and amended from time to time.

3 Sec. 48. MOBILE HOME PARK INFRASTRUCTURE NEEDS

4 ASSESSMENT

5 (a) On or before January 15, 2025, the Department of Housing and
6 Community Development shall submit a report to the Senate Committee on
7 Economic Development, Housing, and General Affairs on the near- and long-
8 term infrastructure needs of each mobile home park in the State. The report
9 shall recommend plans to address those needs.

10 (b) The sum of \$50,000.00 is appropriated from the General Fund to the
11 Department of Housing and Community Development for the purpose of
12 subsection (a) of this section.

13 Sec. 49. MOBILE HOME TECHNICAL ASSISTANCE APPROPRIATION

14 The sum of \$1,000,000.00 is appropriated from the General Fund to the
15 Office of Economic Opportunity within the Department for Children and
16 Families for a subgrant to the Champlain Valley Office of Economic
17 Opportunity in fiscal year 2025 to fund technical assistance programs under the
18 Mobile Home Program.

19 * * * Age-Restricted Housing * * *

20 Sec. 50. 10 V.S.A. § 325c is added to read:

21 § 325c. AGE-RESTRICTED HOUSING; RIGHT OF FIRST REFUSAL

1 All subsidized age-restricted housing within the State offered for sale by a
2 private owner shall also be offered to the Board. The offer shall be made in
3 writing and shall be sent by certified mail to the Board. The offer shall include
4 a description of the property, the price, and any terms, reservations, or
5 conditions the owner proposes to include as part of the sale. Within 60 days,
6 the Board shall accept or reject the offer. If the Board does not accept the offer
7 within the 60-day period, the Board’s preferential right under this section shall
8 terminate.

9 Sec. 51. 10 V.S.A. § 325d is added to read:

10 § 325d. AGE-RESTRICTED HOUSING; RENT INCREASE; NOTICE

11 (a) An owner of subsidized age-restricted housing within the State shall
12 provide written notification on a form provided by the Department of Housing
13 and Community Development to the Board and all the affected residents of any
14 rent increase no later than 60 days before the effective date of the proposed
15 increase. The notice shall include all the following:

- 16 (1) the amount of the proposed rent increase;
17 (2) the effective date of the increase;
18 (3) a copy of the resident’s rights pursuant to this section; and
19 (4) the percentage of increase from the current base rent.

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

4 * * * Studies and Reports * * *

5 Sec. 52. LAND BANK STUDY

6 (a) The Department of Housing and Community Development and the
7 Vermont League of Cities and Towns shall analyze the feasibility of a land
8 bank program that would identify, acquire, and restore to productive use
9 vacant, abandoned, contaminated, and distressed properties. The Department
10 and the League shall engage with local municipalities, regional organizations,
11 community organizations, and other stakeholders to explore:

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

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

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

20 (4) alternative approaches to State and municipal land acquisition,
21 including residual value life estates and eminent domain, for purposes of

1 revitalization and emergency land management, including for placement of
2 trailers and other temporary housing;

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

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

7 (b) On or before December 15, 2024, the Department of Housing and
8 Community Development and the Vermont League of Cities and Towns shall
9 submit a report to the Senate Committee on Economic Development, Housing
10 and General Affairs and the House Committee on General and Housing with
11 its findings and recommendations, including proposed draft legislation for the
12 establishment and operation of a land bank.

13 Sec. 53. RENT PAYMENT REPORTING STUDY

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

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

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

1 (3) the impacts on tenants from rent payment reporting programs,
2 including, if feasible, data gathered from the Champlain Housing Trust’s
3 program;

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

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

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

12 **Sec. 54. LANDLORD-TENANT LAW; STUDY COMMITTEE; REPORT**

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

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

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

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

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

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

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

6 (6) a representative of the judiciary.

7 (c) Powers and duties. The Committee shall study issues with Vermont’s
8 landlord-tenant laws and current evictions process, including the following
9 issues:

10 (1) whether Vermont’s landlord-tenant laws require modernization;

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

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

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

15 (5) whether existing bases for termination are properly utilized,

16 including specifically 9 V.S.A. § 4467(b)(2) (termination for criminal activity,
17 illegal drug activity, or acts of violence);

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

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

5 (f) Meetings.

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

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

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

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

13 (g) Compensation and reimbursement.

14 (1) For attendance at meetings during adjournment of the General
15 Assembly, a legislative member of the Committee serving in his or her
16 capacity as a legislator shall be entitled to per diem compensation and
17 reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than 6
18 meetings.

19 (2) Other members of the Committee shall be entitled to per diem
20 compensation and reimbursement of expenses as permitted under 32 V.S.A.
21 § 1010 for not more than 6 meetings

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

3 * * * Effective Dates * * *

4 Sec. 55. EFFECTIVE DATES

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

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

7 (c) Notwithstanding 1 V.S.A. § 214, Sec. 31 (medical expenses deduction)
8 shall take effect retroactively on **January 1, 2024** and shall apply to taxable
9 years beginning on and after **January 1, 2024**.

10 (d) All other sections shall take effect on July 1, 2024.